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JULY 28, 1981 -

URBAN/MUNICIPAL

AGENDA / MINUTES OF
THE COUNCIL OF THE
CITY OF HAMILTON




MEETING OF CITY COUNCIL

July 28, 1981

A G E N D A

- A Finance Committee
- B Legislation Committee
- C Parks and Recreation Committee
- D Planning and Development Committee
- E Transport and Environment Committee
- F Personnel Committee
- J By-laws



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REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:-

The Finance Committee presents its FIFTEENTH Report and respectfully recommends:-

1. That Section 10 of the Sixteenth Report of the Parks and Recreation Committee, and reading as follows:-

10. (a) That the City of Hamilton fund 25% of the cost of a feasibility study, up to a maximum of \$5,000.00 to examine the appropriateness of the Bank of Montreal Building on James Street South and the Carnegie Building on Main Street West (former Library Building) to house the Arturo Toscanini Collection.

(b) That the Finance Committee be requested to recommend the method of financing this expenditure.

which was tabled at the City Council meeting June 23, 1981 to the meeting of City Council of July 28, 1981, be tabled again until the City Council meeting of August 25, 1981.

NOTE: For the information of Members of City Council, negotiations are being undertaken with the Province of Ontario for the possible use of this building for the expansion of court facilities in the City of Hamilton and the Finance Committee requires additional time to pursue these negotiations.

2. Approval of a transfer from the Contingency Account of \$24,000.00 to be credited to Account No. 0378-3819 to finance the maintenance charges of the former Hamilton Public Library building for the year 1981.
3. City Council, at its meeting held May 12, 1981, in adopting Section 6 of the Twelfth Report of the Finance Committee, approved of the sum of \$165,000.00 being made available to the Hamilton Convention Centre for design fees and re-design and construction of additional kitchen facilities. Also approved by City Council at that time was a recommendation that the City Solicitor and the Co-ordinator, Lloyd D. Jackson Square be authorized and directed to take all measures which may be necessary for the recovery of the City's costs as necessitated by the re-design of the kitchen facilities.

The Finance Committee recommends that no further action be taken on this matter as, in the opinion of the City Solicitor, it would be unproductive to pursue any legal action against the consultant.

Submitted for the information of the Members of City Council, is the report of the Co-ordinator, Lloyd D. Jackson Square, the interim report and the final report of the City Solicitor.

4. That the Purchasing Department be integrated with the Treasury Department for improved efficiency and financial control and that the City Treasurer be requested to undertake the necessary re-organizational changes to accomplish this integration.
5. Approval of the awarding of the following contracts and changes to existing contracts:-

- (a) That an increase of 30 cents per hour, effective March 31st, 1981, and a 20 cents per hour increase effective October 31st, 1981, be granted to Greenaway Security Services Ltd., who were awarded the contract for Security Services for the City of Hamilton.

NOTE: Increases due to Provincial Government increasing the minimum wage.

- (b) That an increase of 5% effective June 29th, 1981 be granted to Moore Business Forms Ltd., who were awarded the contract for Stock Tabulating Paper.

NOTE: Increase due to increased cost of paper and labour.

- (c) WYANT & CO. LTD., Scarborough, Ontario.

For the supply and delivery of 1200 cases of Paper Towels and 350 cases of Toilet Tissue, in accordance with specifications issued by the Director of Purchases and Vendor's Tender for the total sum of.....\$29,546.45

NOTE: Lowest of 9 tenders.

- (d) ALEXANIAN CARPET LTD., Hamilton, Ontario.

Supply and installation of Carpéting in conjunction with the rearrangement of the West Wing of the 2nd floor, City Hall, and with the relocation of the Press Room to the Mezzanine floor for the total sum of.....\$12,153.12

Ontario Retail Sales Tax Exempt.

NOTE: Lower of 2 quotations.

6. That in accordance with the authority granted under the Workmen's Compensation Act, R.S.O. 1970, Chapter 505, Section 8(4), payment of the sum of \$241.60 be made to George Green, being the balance after deduction of the City's expenses, of the damages recovered as a result of injuries suffered by George Green in a motor vehicle accident on March 21, 1978.

7. That in accordance with the authority granted under the Workmen's Compensation Act, R.S.O. 1970, Chapter 505, Section 8(4), payment of the sum of \$3,500.00 be made to Alfred R. Pilson, being the balance after deduction of the City's expenses, of the damages recovered as a result of injuries suffered by Alfred R. Pilson in a motor vehicle accident on November 30, 1977.
8. That an Application of the owners of 22 Mulberry Street to permit the encroachment of a fire escape over the easterly boundary of Municipal Carpark No. 36 by a width of four (4) feet for an approximate distance of twelve (12) feet be approved during the pleasure of City Council, provided:
 - i) that the owners prepare an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
 - ii) the term of the agreement to commence August 1, 1981 for a maximum term of 2 years to July 31, 1983;
 - iii) that the applicant pay an annual fee for this privilege of \$25.00, which fee shall be due and payable to the City on August 1, in addition to the \$25.00 annual fee to be charged for encroachment insurance.
9. That the City of Hamilton lease to the Regional Municipality of Hamilton-Wentworth for the sum of \$1.00 per annum an area of approximately 600 square feet in the City's Brampton Street Yard for the installation of a 2000 gallon propane tank. The Region will pay for all installation and maintenance costs of the tank including hydro rates used by this facility. This lease to form part of the master City-Regional Lease of Agreements used by the Region.
10. That the City of Hamilton endorse the offer to purchase received by the Region from Dofasco Inc. in the amount of \$1,998,098.00 for the sale of 5.274 acres of industrial land.

It is further recommended that the City's portion of the proceeds from the sale of these lands in the gross amount of \$1,282,305.75 be:

- (a) Deposited in a reserve fund to be known as Reserve for Acquisition of Lands in the Alpha Enclave Account No. 0280-35.
- (b) That the said reserve fund will be credited with interest, and
- (c) That the proceeds from the sale of lands acquired through the use of this fund will be re-deposited in the Reserve for Acquisition of Lands in the Alpha Enclave.

NOTE: For the information of the Members of Council, the recovery of the loan, plus interest, advanced to the Region for the acquisition of industrial lands would normally be credited to the Reserve for Property Purchases but in this case it is being proposed that the total amount being received by the City be credited to a Reserve for the Acquisition of Lands in the Alpha Enclave.

11. Approval of the following recommendations with respect to the Beach Strip Acquisition Project.
 - (a) That the City of Hamilton lease (4) Beach Strip properties from the Hamilton Region Conservation Authority set out in Schedule 1 from the date they were acquired by the Conservation Authority until November 30, 1980, at a rental in the amount of the property taxes. These (4) properties, although acquired prior to November 30, 1980, were not included in the lease agreement between the Conservation Authority and the City previously approved by City Council.
 - (b) That the City lease from the Conservation Authority 88 Beach Strip properties set out in Schedule 2 as well as the 4 additional properties set out in Schedule 1 for a period of one year from December 1, 1980 to November 30, 1981 at a rental in the amount of the property taxes. This is a renewal of a previous lease agreement, covers all properties under the proposed long term lease agreement and is required pending approval and finalization of the long term lease agreement by both parties, the Ontario Municipal Board and the Lieutenant Governor in Council.
 - (c) That the City of Hamilton lease 16 Beach Strip properties from the Hamilton Region Conservation Authority set in Schedule 3, acquired between December 1, 1979 to November 30, 1980 for a term of one year commencing December 1, 1980 and terminating on November 30, 1981 at a rental in the amount of the property taxes.
 - (d) That the Mayor and City Clerk be authorized to sign the necessary documents in order to finalize this leasing agreement.

BEACH STRIP PROPERTIES

SCHEDULE 1

727 1/2 Beach Boulevard

997 Beach Boulevard

7 Knapman Drive

22 Lagoon Avenue

BEACH STRIP PROPERTIES - SCHEDULE 2

ADDRESS

1 Arden Avenue

7 Arden Avenue

10 Arden Avenue

3 Bayside Avenue

117 Beach Boulevard

163½ Beach Boulevard

165 Beach Boulevard

195 Beach Boulevard

287 Beach Boulevard

287½ Beach Boulevard

377 Beach Boulevard

406 Beach Boulevard

422 Beach Boulevard

456 Beach Boulevard &
1-5 Bell's Lane &
460 Beach Boulevard

486 Beach Boulevard

496 Beach Boulevard

530B & 534 Beach Boulevard

544 Beach Boulevard

564 Beach Boulevard

640 Beach Boulevard

717 Beach Boulevard

722 Beach Boulevard

ADDRESS

723 & 723½ Beach Boulevard

727 Beach Boulevard

731 Beach Boulevard

732 Beach Boulevard

741 Beach Boulevard

746 Beach Boulevard

764 Beach Boulevard

789 Beach Boulevard

856 Beach Boulevard

882 Beach Boulevard

883 Beach Boulevard

886 Beach Boulevard

894 Beach Boulevard.

951 Beach Boulevard

991 Beach Boulevard

1023 Beach Boulevard

1029 Beach Boulevard

1035 Beach Boulevard

1038 Beach Boulevard

1052 Beach Boulevard

1078 & 1090 Beach Boulevard

1100 Beach Boulevard

1114 Beach Boulevard

ADDRESS

1 Clare Avenue

9 Clare Avenue

13 Clare Avenue

14 Clare Avenue

2 Comet Avenue

3 Comet Avenue

24 Comet Avenue

25 Comet Avenue

82 Dynes Park Avenue

10 Grafton Avenue

12 Grafton Avenue

16 Grafton Avenue

25 Granville Avenue

4 Lagoon Avenue

8 Lagoon Avenue

23 Lagoon Avenue

4 Lakeside Avenue

1 Locarno Avenue

3 Locarno Avenue

6 Mareve Avenue

10 Mareve Avenue

3 North Park Avenue

5 North Park Avenue

B

ADDRESS

2 Rembe Avenue

2A Rembe Avenue

3 Rembe Avenue

5 Rembe Avenue

7 Rembe Avenue

8 Rembe Avenue

12 Renfrew Avenue

2 Towers Drive

3 Wark Avenue

4 Wark Avenue

12 Wickham Avenue

14 Wickham Avenue

2 Windermere Avenue

6 Windermere Avenue

15 Windermere Avenue

One 5th Avenue

Four 5th Avenue

BEACH STRIP PROPERTIES

SCHEDULE 3

809 Beach Boulevard
5 Dexter Avenue
1145 Beach Boulevard
8 Lakeside Avenue
428 Beach Boulevard
10 Renfrew Avenue
312 Beach Boulevard
735 Beach Boulevard
536 Beach Boulevard
1108 Beach Boulevard
426 Beach Boulevard
328 Beach Boulevard
182 Beach Boulevard
8 North Park Avenue
5 Clare Avenue
57 Beach Boulevard

12. That the City of Hamilton enter into a long term lease agreement with the Hamilton Region Conservation Authority for a term of 99 years wherein the City of Hamilton agrees to lease all the properties purchased by the Conservation Authority during the term of this agreement at a rental equal to taxes and in accordance with the provisions of the lease agreement.

It is further recommended that the City Solicitor be authorized and directed to submit an application to the Ontario Municipal Board for approval of this long term lease agreement.

NOTE: For the information of the Members of City Council, submitted with this agenda is the report of the Director of Real Estate which summarizes the basic terms of this lease agreement.

13. Section 19 of the Thirteenth Report of the Legislation Committee makes reference to an amount of \$1,500.00 to be provided for the purchase of gifts to be taken to Fukuyama, Japan by Alderman Cowell for presentation to various dignitaries in September, 1981. The Finance Committee recommends that this expenditure be financed from the Unclassified Expenditure Account No. 0378-2798.
14. Sub-section (e) of Section 10 of the Thirteenth Report of the Legislation Committee makes reference to the retention of the firm of Telcost Ltd., to oversee the installation of the new City Hall telephone system at an estimated cost of \$10,500.00. The Finance Committee recommends that this expenditure be financed by a transfer of \$10,500.00 from the Contingency Account and the funds allocated to Account No. 0378-3656.
15. Sub-section (c) of Section 10 of the Thirteenth Report of the Legislation Committee makes reference to the provision of Privacy to the two (2) middle Aldermanic offices at the east wing of the second floor of the City Hall building at a cost not to exceed \$2,500.00. The Finance Committee recommends that this expenditure be financed from the Reserve for Capital Projects - Specified, Account No. 0280-10.
16. Section 2 of the Eleventh Report of the Personnel Committee makes reference to additional financing required for the New Fire Station #6, (Woodlands Park Site), in the amount of \$80,000.00 and a revised total project appropriation of \$1,210,000.00. The Finance Committee recommends that the City Solicitor be authorized and directed to make application to the Ontario Municipal Board for revising the gross cost of O.M.B. Order No. E781293 dated April 2, 1981 from \$1,130,000.00 to \$1,210,000.00 and increasing the present debenture authority of this Order from \$530,000.00 to \$610,000.00 for a term not to exceed twenty years.

It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth for consent to issue debentures in the additional amount of \$80,000.00 for a term not to exceed twenty years.

17. Based on tenders received, the 1981 Slurry Seal Programme of the City of Hamilton will require an increase of \$13,000.00 in the 1981 appropriation from \$125,000.00 to \$138,000.00. The Finance Committee recommends that the sum of \$13,000.00 be transferred from the Contingency Account and credited to Account No. 0352-0665.
18. For the information of the Members of City Council, the Finance Committee has changed the composition of the Capital Budget Committee by the deletion from the membership of the position of Director of Local Planning and by the addition to the membership of the positions of Chief Administrative Officer and the Director of Culture and Recreation.
19. Approval of the adoption of procedures for the monitoring and control of current expenditures other than independent Boards or Commissions in accordance with the following:-

City of Hamilton
Treasury

SUGGESTED PROCEDURES FOR THE MONITORING AND CONTROL OF
CURRENT EXPENDITURES OTHER THAN INDEPENDENT BOARDS OR COMMISSIONS

SUBJECT	PRESENT POLICY	PROPOSED POLICY
<p>1) Requests for <u>Additional Funding</u> to an Existing Account within a Departmental Budget.</p>	<p>a) Treasurer can approve transfer, from authorized account, of 10% or original appropriation of the account to which the funds are to be transferred to a maximum of \$500.</p> <p>b) Finance Committee approves transfers in excess of Treasurer's limits and forwards those in excess of \$1,000 to City Council.</p>	<p>With the exception of accounts listed on Exhibit "A"-</p> <p>a) The Department Head will have authority to approve the transfer of funds from one account to another, to a maximum of \$500.</p> <p>b) The Treasurer will have authority to approve an overdraft in a Department's account to a maximum of \$500.</p> <p>c) The C.A.O. will have the authority to approve the transfer of funds from one account to another or approve overdrafts over \$500 to a maximum of \$1,000.</p> <p>d) The Standing Committee to whom the Department Head is responsible will have authority to approve the transfer of funds from one account to another within the Department Budget, and request approval of City Council for all amounts in excess of \$5,000.</p> <p>e) The Finance Committee will have authority to approve overdrafts or transfers from Contingency to an existing account over \$1,000 to \$5,000.</p> <p>f) The Finance Committee will recommend to City Council approval of all overdrafts or transfers from the Contingency to an existing account for amounts in excess of \$5,000.</p>

City of Hamilton
Treasury

SUGGESTED PROCEDURES FOR THE MONITORING AND CONTROL OF
CURRENT EXPENDITURES OTHER THAN INDEPENDENT BOARDS OR COMMISSIONS

SUBJECT	PRESENT POLICY	PROPOSED POLICY
<p>2) <u>Requests for Additional Funding for an Item for which no Provision has been made in the Current Estimates.</u></p>	<p>a) Finance Committee recommends method of financing, whether by transfer of funds from one account to another, or by overdraft approval or Contingency transfer, to a maximum of \$1,000.</p> <p>b) Finance Committee forwards requests for additional funds in excess of \$1,000 for a new item, to City Council for approval.</p>	<p>With the exception of accounts listed on Exhibit "A"-</p> <p>a) The C.A.O. will have the authority to approve an expenditure which was not contained in the Current Estimates providing this can be funded from another account without affecting the service, to a maximum of \$1,000.</p> <p>b) The Standing Committee will have authority to approve an expenditure which was not contained in the Current Estimates providing this can be funded from another account without affecting the service over \$1,000 to a maximum of \$5,000, and request approval of City Council for all amounts in excess of \$5,000.</p> <p>c) Where the additional funds cannot be provided from the Departmental Estimates, the Standing Committee if they are of the opinion, the request of the Department Head is essential, will forward a recommendation to the Finance Committee to request the method of financing.</p> <p>If the Finance Committee concurs with the request-</p> <p>(1) The Finance Committee will have the authority to approve transfers from the Contingency Account to a maximum of \$5,000.</p> <p>(11) The Finance Committee will request approval of City Council for transfers from the Contingency Account of all amounts in excess of \$5,000.</p> <p>NOTE: For administrative purposes, all requests for additional funding will be referred to the Treasury Department prior to submission to the Standing Committees, in order to ensure the application is in order.</p>

City of Hamilton
Treasury

SUGGESTED PROCEDURES FOR THE MONITORING AND CONTROL OF
CURRENT EXPENDITURES OTHER THAN INDEPENDENT BOARDS OR COMMISSIONS

SUBJECT	PRESENT POLICY	PROPOSED POLICY
<p>3) Travelling</p> <p>1) Attendance at Conventions and Conferences by Members of City Council, Citizen Members of Committees, and Employees</p>	<p>All requests for attendance were made through the Standing Committee to City Council.</p> <p>a) The Mayor approves of the expenditure of Council Members and Citizen members.</p> <p>b) The C.A.O. approves of the expenditure of Department Heads.</p> <p>c) The Department Head approves of the expenditure of employees.</p>	<p>All Departments, in the preparation of the Estimates for presentation to the Standing Committees, will prepare a listing of the proposed conventions and conferences to be attended during the year, together with the estimated cost of these events from which the Standing Committee will establish an appropriation for travelling. Upon approval of the Estimates by the Finance Committee and City Council and the establishment of the appropriation for the travelling portion of a Departmental budget, the following procedures will prevail:</p> <p>a) The Standing Committees will recommend to City Council the attendance of any Council members for any convention or conference.</p> <p>b) The Mayor will have authority to approve the attendance at all conventions and conferences for the C.A.O.</p> <p>c) The C.A.O. will have authority to approve the attendance at a convention or conference for all Department Heads.</p> <p>d) The C.A.O. and Department Head will have the authority to approve the attendance at a convention or conference for staff members.</p>

City of Hamilton
Treasury

SUGGESTED PROCEDURES FOR THE MONITORING AND CONTROL OF
CURRENT EXPENDITURES OTHER THAN INDEPENDENT BOARDS OR COMMISSIONS

SUBJECT	PRESENT POLICY	PROPOSED POLICY
<p>3) Travelling - Continued</p> <p>1) Attendance at Conventions and Conferences by Members of City Council, Citizen Members of Committees, and Employees - continued</p> <p>II) Seminars and Training Courses</p> <p>III) Travel in Connection with the Normal Business of the Corporation</p>	<p>a) The C.A.O. approves of the attendance by Departments Heads and employees.</p> <p>b) The Mayor approves of the attendance by Council members and the C.A.O.</p>	<p>NOTE: (1) If a Department wishes to request authorization to attend a convention or conference prior to the approval of the Estimates, then the request will require the approval of the Standing Committee and Council to attend in order to authorize the expenditure in advance of the budget being approved.</p> <p>(11) A Department Head will have authorization to reschedule the proposed list of conventions and conferences providing the approved appropriation is not exceeded.</p> <p>The same procedure for seminars and training courses will prevail as outlined for conventions and conferences, with the exception that a detailed list will not be required for the Standing Committee to establish an appropriation.</p> <p>a) Department Head approves expenses for employees.</p> <p>b) C.A.O. approves expenses for Department Heads.</p> <p>c) Mayor approves expenses for members of Council, C.A.O., and citizen members of Committees.</p>

City of Hamilton
Treasury

SUGGESTED PROCEDURES FOR THE MONITORING AND CONTROL OF
CURRENT EXPENDITURES OTHER THAN INDEPENDENT BOARDS OR COMMISSIONS

SUBJECT	PRESENT POLICY	PROPOSED POLICY
4) Equipment	<p>a) The Department submits a proposed list of equipment during the preparation of the Estimates for approval by the Standing Committee, the Finance Committee, and eventually City Council.</p> <p>b) Upon approval of the Estimates by City Council, the Treasury Department monitors the purchase of this equipment by individual item and price.</p>	<p>The Department Head will submit a proposed list of equipment required to the Standing Committee for consideration and approval of an appropriation. Upon approval of the Current Estimates by City Council, a Department Head will be permitted to purchase equipment within the terms of the Purchasing Procedure in accordance with the list approved by the Committee and within the limitations of the appropriation established.</p> <p>NOTE: If equipment is required in advance of approval of the Estimates by City Council, then a Department Head must request approval:</p> <p>a) of the C.A.O. for an amount not exceeding \$1,000.</p> <p>b) of the Standing Committee who will have authority to approve amounts over \$1,000 and up to \$5,000 and seek approval of the Finance Committee and City Council for all amounts in excess of \$5,000.</p>
5) Expenditure Account Control	<p>Departmental expenditure accounts are controlled by individual object of expense within each activity with the exception of certain operating Departments.</p>	<p>For the balance of 1981, the Treasury Department will continue to exercise control by line item appropriations other than for those Departments on which control is exercised by activity or function. It is proposed that a study will be undertaken in 1981 for the 1982 Estimates to allow a Department Head to have more managerial jurisdiction by expanding control to activity or function rather than by line item amounts.</p>

B

City of Hamilton
Treasury

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SUGGESTED PROCEDURES FOR THE MONITORING AND CONTROL OF
CURRENT EXPENDITURES OTHER THAN INDEPENDENT BOARDS OR COMMISSIONS

SUBJECT	PRESENT POLICY	PROPOSED POLICY
<p>6) For all Departmental Operating Expenditures with the exception of those covered by the Purchasing Procedure and those areas of responsibility assigned to the City Treasurer for the normal operation of the City. I.e. Payroll, Employee Benefits, Utilities, Debt Charges, etc.</p>	<p>Expenditures of this nature are authorized as follows:</p> <ul style="list-style-type: none"> a) Department Head approval to \$1,000. b) Standing Committee approval over \$1,000 and up to \$10,000. c) Council approval on amounts in excess of \$10,000. 	<p>In order to provide the Department Head with more managerial jurisdiction over the operation of his Department, it is suggested that the following limitations, as outlined in the purchasing Procedures, will prevail and providing approval is within the limitations of the appropriation as established by City Council:</p> <ul style="list-style-type: none"> a) Department Head approval to \$5,000. b) Department Head and C.A.O. approval over \$5,000 and up to \$10,000. c) Standing Committee and Council approval over \$10,000.
<p>7) Holdbacks</p>	<p>The appropriate Standing Committee authorizes release of holdbacks to contractors.</p>	<p>It is recommended that the present policy continue as this procedure was reviewed and approved by City Council since the abolition of the Board of Control.</p>

MEMIKah
June 29, 1981

EXHIBIT "A"

With respect to the transfer of appropriation amounts from one account to another within a Departmental budget, it should be noted that transfers will not be permitted from the following accounts:

Personal Services

- 01) - Salaries and wages
- 02) - Accumulated sick leave
- 03 - Retirement allowances - granted by Council
- 04 - Pensions
- 05 - Workmen's Compensation
- 06 - Unemployment Insurance
- 07 - Medical and hospitalization
- 08 - Group life insurance

Contractual Services

- 13 - Water rates
- 14 - Light and power
- 15 - Fuel

Financial Charges

- 42 - Insurance
- 45 - Property taxes
- 47 - Provision for replacement - automotive equipment
- 48 - Provision for major repairs

Equipment

- 71 - Office equipment
- 72 - Automotive equipment
- 74 - Furnishings
- 75 - Operating equipment
- 79 - Equipment - other

Miscellaneous

- 91 - Travelling (Conventions and Conferences)

20. That the Regional Municipality of Hamilton-Wentworth arrange for issuance of five separate Local Improvement Debentures for Curbs, Walks, Roadways and Alleyways for the City of Hamilton relating to closings in the years 1976 through to 1980 in accordance with the following schedule:

<u>Description</u> (1)	<u>Rate</u> (2)	<u>Term</u> (3)	<u>Amount to be Debentured</u> (4)
1976 Closings	10 %	10 Years	\$ 45,000
1977 Closings	9 1/2%	10 Years	45,000
1978 Closings	10 1/4%	10 Years	62,000
1979 Closings	11 %	10 Years	180,000
1980 Closings	13 1/2%	10 Years	87,000
			<u>\$419,000</u>

That the local improvement debentures amounting to \$419,000.00 as described above, be purchased in total by the Corporation of the City of Hamilton and this amount be financed from the Reserve for Debt Charges 0280-19.

21. That if the present mail strike continues, the City Treasurer be authorized to:
- (a) Employ sufficient students (approximately 25) from the Hire-A-Student Program at McMaster University and/or Mohawk College for delivery of City of Hamilton Realty Tax Bills and Final Notices for Business Taxes during the month of August (August 10 to August 14, 1981).
 - (b) Pay these students at an hourly rate of approximately \$4.00 per hour or at a rate per bill not to exceed 17 cents depending upon the arrangements to be made with the Student Employment Centre.
 - (c) Make appropriate arrangements for the delivery of tax bills to out-of-town residents.
 - (d) Have the authority to make the necessary transfers within the accounts of the Treasury Department to finance the cost of this program estimated at approximately \$7,500.00.
22. Approval of the recommendation of the Trade/Arena Sub-Committee that an amount of \$7,500.00 be made available for advertising and promotion for this project and that this expenditure be financed by a transfer of \$7,500.00 from the Contingency Account and an appropriation be established in Account No. 0378-3812, Promotional Costs for the Trade/Centre Arena.
- NOTE: The \$7,500.00 requested is required for advertising in various newspapers, such as the Spectator, Globe and Mail, and The Daily Commercial News, along with courier services delivering information to participating architects.
23. That the fee for the senior citizen's bus pass for senior citizens aged 70 years and over be increased from \$12.50 to \$17.50 effective as of the date of renewal of these bus passes in 1982.

24. Section 2 of the Fourteenth Report of the Transport and Environment Committee makes reference to an additional sum of \$9,750.00 required to enable the completion of the construction and placement of the approved 1981 quota of bus shelters. The Finance Committee recommends that the sum of \$9,750.00 be transferred from the Contingency Account and established in Account No. 0328-2719 in the Property Department estimates.
25. Section 10 of the Ninteenth Report of the Parks and Recreation Committee makes reference to the supply and installation of telescopic bleacher seating at the Central Memorial Recreation Centre at a cost of \$4,500.00. The Finance Committee recommends that an amount of \$4,500.00 be transferred from the Contingency Account and credited to Account No. 0367-2033, Recreation Department.
26. Section 11 of the Ninteenth Report of the Parks and Recreation Committee makes reference to the appointment of Moffat Engineering Limited as mechanical and electrical consultants for the Inch Rink/Pool Renovation Project at an estimated cost of \$18,000.00 and the appointment of Parker Consultants Ltd. as structural consultants for the Inch Rink/Pool Renovation Project at an estimated cost of \$8,500.00. The Finance Committee recommends that the sum of \$26,500.00 be transferred from the Contingency Account and an appropriation be provided in Account No. 0378-7019.
27. Section 15 of the Ninteenth Report of the Parks and Recreation Committee makes reference to the provision of an automatic sprinkler system at the Dundurn Castle restaurant at a total estimated cost of \$20,000.00. The Finance Committee recommends that this expenditure be financed from the Reserve for Capital Projects Account No. 0280-27.
28. Approval of a transfer of \$4,500.00 from the Contingency Account to be credited to Account No. 0353-0160, Cemetery Division, to pay the costs for erecting and repairing 200 monuments in Hamilton Cemetery which were damaged by vandalism.
29. Section 4 of the Eleventh Report of the Personnel Committee makes reference to the establishment of four (4) additional positions of Inspector for the Fire Prevention Bureau and the establishment of an additional position of Stenographer IV in the Fire Prevention Bureau with a three month salary cost, with an effective starting date of October 1, 1981, estimated at \$22,450.00. The Finance Committee recommends that Section 4 of the Eleventh Report of the Personnel Committee be tabled until the meeting of City Council scheduled for August 25, 1981 pending receipt of additional information respecting the possible duplication of inspections by the Building Department and the Fire Prevention Bureau and the increase in fire inspections which may have been necessitated by the passing of By-law No. 80-259 respecting Second Level Lodging Houses.

RESPECTFULLY SUBMITTED,

ALDERMAN P. O. VALERIANO,
CHAIRMAN.

R. M. Collier, Secretary,
July 23, 1981.

REPORT OF THE LEGISLATION COMMITTEE

To the Council of The Corporation of the City of Hamilton,

Members of Council:

The Legislation Committee presents its THIRTEENTH Report and respectfully recommends:

GRANTS AND CIVIC HOSPITALITY

1. That a grant in the amount of \$500.00 be made to the Filipino Canadian Association to assist in defraying expenses in connection with the 5th North American Filipino InterCity Basketball Tournament to be held in the City of Hamilton on September 5th and 6th, 1981. Estimated attendance, 1,000 people.
2. Approval of the action of the Legislation Committee in providing a luncheon and tour of the Football Hall of Fame to 25 Naparima Sea Scouts representing Trinidad and Tobago at the Canadian Jubilee in Kananakis, Alberta who will be visiting the City of Hamilton from July 19th to 24th, 1981.
3. That a grant in the amount of \$400.00 be provided to the Canadian Society of Forensic Science to assist in defraying expenses in connection with their Annual Convention to be held in the City of Hamilton from August 24th to 28th, 1981. Estimated attendance, 400 delegates.
4. That a grant in the amount of \$500.00 be made to the Hamilton Lacrosse Association to assist in defraying expenses in connection with a dinner as part of their Junior Girls Lacross Canadian Championships to be held in the City of Hamilton from August 21st to 24th, 1981. Estimated attendance, 300 participants.
5. That a grant in the amount of \$500.00 be made to the Hamilton Electrical Maintenance Club to assist in financing pre-conference expenses to be incurred in connection with their May, 1983 Convention and Trade Show to be held at the Hamilton Convention Centre.
6. That a grant in the amount of \$100.00 be made to the Westdale Senior and Junior Boys Basketball Teams to provide a bus tour of the City's cultural and industrial sites and finance admission to the Canadian Football Hall of Fame and Whitehern upon the occasion of the visit of the Reynolds High School Senior and Junior Basketball Teams from Victoria, British Columbia to the City of Hamilton from December 11th to 20th, 1981.

CIVIC AWARDS

7. That civic awards be made to the following:
 - (a) Jody Ellis who brought honours to the City of Hamilton in 1981 by winning a Provincial Championship in Gymnastics.

- (b) Nadine Tapp who brought honours to the City of Hamilton in 1980 by winning Provincial and National Majorette Championships.
- (c) Ray Macoritti Jr. and Kelly White of the Hamilton Angling and Hunting Association who brought honours to the City of Hamilton in 1980 by winning the Ontario Provincial Championship Shoot.
- (d) Russ Forrest who brought honours to the City of Hamilton between 1938 and 1946 by winning Junior, Intermediate and Senior Water-Polo Titles.
- (e) Patrick Gibbon who brought honours to the City of Hamilton in 1981 by winning the Canadian Judo Championship.

RESOLUTIONS

8. That the following resolutions be endorsed:

(a) Town of Leamington

"WHEREAS present high interest rates are a burden on prospective home owners;

AND WHEREAS spiralling interest rates have made mortgage renewals difficult if not impossible for many taxpayers;

AND WHEREAS the pride in, and the responsibility of, home ownership should be within the grasp of all Canadian families;

NOW THEREFORE BE IT RESOLVED that the Government of Ontario be requested to institute a low interest mortgage program for home buyers in the Province similar to that enjoyed by the residents of Nova Scotia as follows:

- mortgage interest rates vary according to family income
- the highest interest rate, for those families earning a maximum of \$30,000.00 per year, is the value of the Province's borrowing rate plus 1/2 of 1%
- interest rates decrease 1/2 of 1% for each \$875.00 of annual income below \$30,000.00, down to a minimum figure of 11%
- interest rates remain fixed for the life of the mortgage
- mortgages are non-assumable and apply only to owner-occupant homes

AND FURTHER, that this resolution be circulated to all municipalities within Ontario for endorsement with the request that notice of such endorsement be forwarded to their local Member of the Legislative Assembly."

(b) City of Windsor

"WHEREAS the Land Compensation Board in the case of the City of Windsor vs. Larson (Ace Motel) awarded substantial compensation to the claimant (motel owner) for Injurious Affection represented by a loss in market value to the premises resulting from the construction of a centre median together with personal and business damages suffered during the course of construction; and,

WHEREAS appeals by the City to the Divisional Court and the Court of Appeal have been unsuccessful; and,

WHEREAS the work undertaken was on a heavily travelled major arterial which required centre medians to control left turn movements across the path of fast oncoming traffic; and,

WHEREAS this decision establishes a new legal precedent which is of very far reaching interest and could have a heavy financial impact on municipalities and the Ministry of Transportation and Communications;

THEREFORE BE IT RESOLVED that the Attorney General for the Province of Ontario be urged to initiate amendments to the Expropriations Act to clarify the matter of Injurious Affection resulting from the construction of traffic safety devices thereby reducing the potential exposure of road authorities to the rather monumental costs which may result from the Land Compensation Board's interpretation of the present Legislation;

AND FURTHER, be it resolved that this resolution be forwarded to medium and large municipalities in Ontario, to the Local Members of the Legislative Assembly for support and to the AMO Conference for endorsement."

(c) Township of Kingston

"That Kingston Township Council hereby requests the Provincial Government to review the education tax system in consultation with the municipalities of Ontario with serious consideration being given to amending the present property tax base formula and further consideration being given to to amending the provincial grant system to provide more funds to municipalities. A copy of this resolution to be sent to all municipalities in Ontario seeking their support."

9. That no action be taken on the following resolutions:

(a) City of Mississauga

"WHEREAS The Assessment Act provides for complaints against assessment to be heard by the Assessment Review Court, County Judge and Ontario Municipal Board,

AND WHEREAS the Assessment Review Court has no method of reviewing or assessing the performance of a member of the court so that a member is permitted to sit year after year and continue to make, in our opinion, unsatisfactory decisions,

AND WHEREAS many property owners, lawyers and property tax agents have a complete disregard for the decisions of the Assessment Review Court and appeal to the County Judge and Ontario Municipal Board as a matter of routine,

AND WHEREAS the County Court is reluctant to assign County Judges to hear Assessment Appeal and as a result many appeals involving millions of dollars in taxes have not been heard since 1975,

AND WHEREAS The Ministry of Attorney General has recommended major revisions to the Assessment Appeal process including doing away with the appeal to the County Judge and establishing an Assessment Review Board which would be Court of Record and have full time members, similar to the Land Compensation Board or Ontario Municipal Board,

AND WHEREAS these recommendations were endorsed by the Association of Municipalities of Ontario but no further action has been taken by the Province,

NOW THEREFORE BE IT RESOLVED that the Province of Ontario be advised of the concern of the City of Mississauga regarding the hearing and disposition of assessment complaints by the Assessment Review Court and County Judge,

AND FURTHER THAT the Province be requested to enact the recommendation of the Ministry of the Attorney General concerning the amendment of The Assessment Act regarding the hearing and disposition of assessment complaints,

AND FURTHER THAT this resolution be circulated to all municipalities in Ontario, the Association of Municipalities of Ontario, the local provincial Members of Parliament, the Attorney General, the Minister of Revenue and Premier William G. Davis."

(b) City of Toronto

"WHEREAS the Council of the City of Toronto presently appoints four of the 12 members of the Board of Governors of George Brown College;

WHEREAS the Minister of Colleges and Universities has decided that City Council shall not have this authority with respect to appointments made after 1981; and, instead, that City Council may only nominate persons who will be considered for membership by the Council of Regents for Colleges of Applied Arts and Technology, which is responsible for all of Ontario's 22 community colleges;

WHEREAS this new procedure will reduce the accountability of the Board of Governors of George Brown College, which calls itself The City College, to the community in which it is located; and

WHEREAS this reduced accountability will mean that George Brown College will not be able to serve the interests of the City of Toronto residents in the best possible way;

THEREFORE BE IT RESOLVED that the Minister be requested to reconsider her decision regarding the method of appointment of the Governors of George Brown College and to restore that authority of Toronto City Council to appoint four of the governors;

BE IT FURTHER RESOLVED that other municipal councils in Ontario that have community colleges within their boundaries be advised of this resolution and urged to give consideration to making a similar request of the Minister."

(c) City of Windsor

"WHEREAS the Government of the Province of Ontario has introduced legislation to improve methods of processing complaints by members of the public against police officers in Metropolitan Toronto; and,

WHEREAS it is in the interest of all citizens and police forces throughout the Province that there be available to them fair and equitable procedures for dealing with complaints against police officers; and,

WHEREAS there is concern that any such procedures be based upon independent and unbiased investigations of any complaint and that any such investigations be professionally pursued; and,

WHEREAS the proposed procedures are based upon an internal investigation by the police force concerned which investigation is subject only to monitoring, subsequent review and possible intervention by the Public Complaints Commissioner;

THEREFORE BE IT RESOLVED that this Council petition the Government of the Province of Ontario to extend the application of the Act to provide for the implementation of its provisions within any municipality upon the initiative of the municipality; and,

THAT the investigations of complaints be under the supervision of the Public Complaints Commissioner and that each investigation employ police officers external to the police force against which a complaint has been made;

BE IT FURTHER RESOLVED that this resolution be referred to the local members of the legislature for support and to other cities in Ontario and the Association of Municipalities of Ontario for endorsement."

(d) United Townships of Bangor, Wicklow & McClure

"WHEREAS section 543 and 555 of the Municipal Act allows three years tax arrears to accumulate before land could be sold for tax arrears;

AND WHEREAS arrears of taxes have increased substantially in the past few years particularly in rural municipalities;

AND WHEREAS ratepayers whose taxes remain unpaid for a period approaching three years seldom make an effort to pay more than one year arrears, only to protect their property from being sold for taxes;

AND WHEREAS the outstanding arrears of taxes have made it necessary for municipalities to borrow more money from time to time, in order to meet their fiscal obligations,

NOW THEREFORE, BE IT RESOLVED, THAT The Minister of Intergovernmental Affairs, be petitioned, to amend Section 543 and 555 of the Municipal Act to reduce the three year period to two years and at the end of the two year peirod all arrears shall be paid in full or be sold for taxes."

10. CITY HALL FACILITIES

- (a) That the Hamilton and District Labour Council be permitted to use the City Hall forecourt and washrooms from approximately 10:00 o'clock a.m. to 1:00 o'clock p.m. on Monday, September 7, 1981 in connecton with the Labour Day Parade and that the Property Maintenance Superintendent be authorized and directed to erect a re-viewing stand for the dignitaries.
- (b) Approval of the action of the Legislation Committee in authorizing the Hamilton Buddhist Church to use the City Hall forecourt and washrooms from 7:00 o'clock p.m. to 10:00 o'clock p.m. on Saturday, July 25, 1981 for their Annual Obon Dori "Festival of Dance".
- (c) That the requested Privacy to the two middle Aldermanic Offices, east end of the second floor, City Hall, be provided by means of deleting the glazed front, (westerly), walls and replacing same with solid wood-panelled wall with solid wood doors, all identical to the two previously converted offices on both sides.

The construction to be done by and through the Property Maintenance Department which will take three (3) to four (4) weeks, the cost of which is not to exceed \$2,500.00 and that the Finance Committee be requested to provide the financing for these renovations.

- (d) That no action be taken at this time to provide additional Aldermanic Offices on the second floor, City Hall.
- (e) That the firm of Telcost Ltd. be retained to oversee the installation of the new City Hall Telephone System at an estimated cost of \$10,500.00 and that the Finance Committee recommend the method of financing this expenditure.

11. LEGISLATION

- (a) That the present licence fee for Transient Traders which is \$500.00 for five (5) years, be amended to \$500.00 for one (1) year, and that the Licence By-law Number 79-323 be amended, if necessary.

That the City seek an amendment to The Municipal Act, or in the alternative, private legislation to require a separate licence for each location that is being used by a transient.

- (b) Approval of the action of the Legislation Committee in authorizing and directing the City Solicitor to serve and file an application for leave to appeal the decision of the Divisional Court respecting those portions of By-law No. 79-144 dealing with Class "A" Licences.

NOTE: For the information of the Members of City Council, the Divisional Court recently gave the declaration that those portions of By-law No. 79-144 that deal with Class "A" Licences are invalid as being unauthorized by The Municipal Act. Class "A" Licences are those that authorize the licensee to provide goods that are magazines appealing to or designed to appeal to erotic or sexual appetites or inclinations. All other provisions of the by-law are not covered by the Court's ruling and are in force and effect.

- (c) That a licence agreement be entered into between the City of Hamilton and Mr. B. Hubbard satisfactory to the City Solicitor and City Clerk for the use of the Coffee Shop Stand #76 commencing September 1, 1980 for a period of three (3) years at a monthly fee of \$200.00 plus an additional prorated fee for additional use in excess of three (3) market days. The monthly fee to be subject to review by the City after the first three (3) years and provided further that the licensee shall have an option to renew this agreement for a further period of two (2) years at a fee to be agreed upon.

That the Mayor and City Clerk be authorized to execute the above agreement on behalf of the City of Hamilton.

LICENSING

12. That the following recommendation of the Licensing Committee be approved.

"That the taxi-cab licence #230 owned by Mr. Allan Kent be revoked, due to the fact that Mr. Kent was convicted of a criminal offence which he committed while using a regulated vehicle, namely Taxi #230, which is contrary to Section 15 (b) (a) of By-law 79-323, as amended."

The above action is recommended following a full hearing before the Licensing Committee by the licence holder who was represented by legal counsel.

OTHER

13. That the Mayor be authorized to proclaim Civic Holidays in the City of Hamilton.
14. That the City of Hamilton's participation in the 1981 YWCA Inner City Youth Swim Programme be increased to permit 50 children to participate daily instead of the 20 - 22 previously authorized by City Council on April 28, 1981 at an additional cost of approximately \$500.00.
15. That the Mayor be authorized to proclaim the week of September 6 - 12, 1981 "Union Label Buying Week" and further that the Canadian Labour Congress Flag be permitted to fly over City Hall during that week.
16. That the 5th Annual Hamilton International HarvesTrek be recognized by the Council of the Corporation of the City of Hamilton as a Community Festival to satisfy requirements of the Liquor Licence Board of Ontario.

NOTE: For the information of the Members of City Council, this event is scheduled to take place in various community halls and churches throughout the City of Hamilton on two consecutive weekends this year: October 2nd, 3rd & 4th, and October 10th, 11th & 12th.

17. That an order be placed with Rapid Blueprint Ltd. for 300 Hamilton Zoning By-law Map Books at a total cost of \$11,000.00 (Federal and Ontario Sales Tax Exempt), and that this amount be charged to Account No. 0322-0162, City Clerk's Department.
18. That a budget of \$3,500.00 be approved to finance the visit of the 31 member delegation from Fukuyama, Japan who are visiting the City of Hamilton from August 24th - 26th, 1981, and that this expense be charged to Account No. 0374-1146, Receptions and Public Events.

NOTE: For the information of the Members of City Council, the budget of \$3,500.00 will provide a civic dinner and reception for approximately seventy (70) people, bus charters for two (2) days, a tour of the African Lion Safari and Wentworth Pioneer Village, the purchase of leather name tags, and appropriate gifts for each member of the Japanese delegation.

19. That an amount of \$1,500.00 be provided for the purchase of gifts to be taken to Fukuyama, Japan by Alderman Cowell for presentation to various dignitaries in September, 1981, and that the Finance Committee recommend the method of financing this expenditure.
20. Approval of the following response to the Status of Women Committee with respect to opportunities for women employed by the City of Hamilton:-

Whereas The Corporation of the City of Hamilton has adhered in the past to the principle of promoting on merit with no regard for age, sex, religion and place of origin, and,

Whereas The Corporation of the City of Hamilton commits itself to continuing to apply the principles set out above, and to use every reasonable means at its disposal to encourage all employees regardless of age, sex, religion, or place of origin through the medium of informing employees of educational opportunities in various fields of endeavour within The Corporation of the City of Hamilton, which will aid them on an equal basis to compete for more senior positions.

Now be it therefore resolved that The Corporation of the City of Hamilton will actively continue to pursue the principles of equal opportunity on merit without regard to age, sex, religion or place of origin, and to accomplish this end, the Assistant to the Director of Personnel shall assume, along with her current duties, the duties of Fair Employment Officer.

NOTE: For the information of the Members of Council, this recommendation is as a result of submissions made by the Status of Women Committee.

21. (a) That the City of Hamilton mementos be kept in the Purchasing Departments Inventory Stock Room and only be released by a requisition signed by the Mayor and the Chief Administrative Officer. This procedure will permit the Mayor's office to retain an inventory of mementos by drawing from the Purchasing Departments inventory by requisition.
- (b) That local groups such as hockey teams, bowling leagues and various associations that are visiting other cities or countries but not officially representing the City of Hamilton be required to purchase, at the City's cost, any gift or memento rather than being supplied gratis.
22. That the tax adjustments as set out in Schedule A (Compassionate) be approved as recommended by the Tax Appeal Sub-Committee as a result of its hearings of June 25, 1981 and July 23, 1981.
23. That leave be granted to introduce the following bills:
 - (a) Bill B-28 - A by-law to to consolidate Building By-law No. 4797 relating to the better protection of persons and property from unsafe conditions as regards danger from fire.
 - (b) Bill B-29 - A by-law to authorize the destruction of records in various departments.

- (c) Bill B-30 - A by-law to amend various by-laws respecting fines.
- (d) Bill B-31 - A by-law to confirm proceedings of the Council of The Corporation of the City of Hamilton at its meeting held July 28, 1981.

RESPECTFULLY SUBMITTED,

ALDERMAN D. LAWRENCE,
VICE-CHAIRMAN,

J. D. Thompson, Acting Secretary,
July 21, 1981.

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its NINETEENTH Report for 1981 and respectfully recommends:

1. Approval of the following change order in the amount of \$13,305.00 to a contract previously awarded by City Council.

- Martin-Stewart Contracting Limited - Re: Norman "Pinky" Lewis Recreation Centre.

Change Order #8 - Changes to driveways,
curbs, lighting and
walkways \$13,305.00 EXTRA

NOTE: For the information of the members of City Council, there is no contingency allowance money left in the General Contract and this expenditure will be financed with funds from the Gibson and Landsdale Neighbourhood Improvement Programme Accounts.

2. Approval of the leasing of a parcel of City-owned land measuring approximately 15'X 60' at the rear of 16 Beland Court to Mr. A. Smereka, owner of 16 Beland Court, for landscaping purposes, for the annual rental of \$1.00 plus taxes.
3. Approval of the leasing of a parcel of City-owned land measuring approximately 20' X 62' at the rear of 14 Beland Court to Mr. and Mrs. C. Earle, owners of 14 Beland Court, for landscaping purposes, for the annual rental of \$1.00 plus taxes.
4. Approval of the leasing of a parcel of City-owned land measuring approximately 50'X 62' at the rear of 12 Beland Court to Mr. and Mrs. S. Pulsone, owners of 12 Beland Court, for landscaping purposes for the annual rental of \$1.00 plus taxes.
5. Approval of the sale of Lots 57 and 58, Plan M-230, Oakington Estates, Phase IV (Horning Drive), to Bishopsgate Properties Limited, for the sum of \$30,000.00.

The net proceeds from the sale of this property to be credited to the Reserve for Park Lands Account.

NOTE: These lots, each measuring approximately 35'X 152', were acquired by the City in June 1977 as payment of the required 5% land dedication and are now being disposed of inasmuch as they are not required for parks or recreational purposes.

6. Approval of the acquisition of the property at 51 Elgin Street from Phyllis Laity, for the sum of \$22,000.00. Option to be accepted on or before July 3, 1981. Cash on closing of sale, which shall be on or before August 31, 1981.

This property is required for parks purposes in the Beasley Neighbourhood. Sufficient funds are available in Account # 0408-C66046, to provide for this acquisition.

7. Approval of the temporary leaseback of property at 129-131 and 120-130 Caroline Street North to Mr. Harold Rochweg, former owner of the property, at a rental of \$1,315.00 (taxes included) for the period January 12, 1981 to January 31, 1981; and \$2,145.00 per month, (taxes included) from February 1, 1981 to October 31, 1981.

NOTE: For the information of the members of City Council, the above-noted properties were expropriated by the City for the Central Neighbourhood Park. The leaseback of these properties will provide Mr. Rochweg, the former owner, sufficient time to acquire and relocate to new premises. The rental commencement date of January 12, 1981 is the date that the City was entitled to vacant possession of the subject lands, pursuant to the expropriation of same.

- 8.(a) That the Tariff of Charges for City-owned cemeteries, as set out in schedule "A", of Bill C-2, be approved and implemented upon receipt of approval from the Ministry of Consumer and Commercial Affairs, Cemeteries Branch.
- (b) That the Director of Cemeteries be authorized and directed to make application to the Ministry of Consumer and Commercial Affairs, Cemeteries Branch, for approval of these rates.

NOTE: For the information of the members of City Council, the Tariff of Charges being recommended represents an approximate 12% increase which will result in approximately \$27,000.00 additional revenue for the year 1981.

9. Approval of the awarding of the following contract:

H. R. DAY CATERING LTD., Grimsby, Ontario
Re: Department of Culture and Recreation - Lawfield Arena

Leasing of Food and Drink Concession, Lawfield Arena, in accordance with terms and conditions issued by the Director of Purchases and Vendor's Tender, as follows:

Lease from Oct.1/81 to Mar.31/83	\$11,850.00
City's option to renew two 1-year periods:	
Lease from Apr.1/83 to Mar.31/84	\$ 6,500.00
Lease from Apr.1/84 to Mar.31/85	\$ 7,500.00

NOTE: The best of three (3) tenders received.

- 10.(a) Approval of the issuing of the following order:

CEE-LEA SALES LTD., Hamilton, Ontario
Re: Department of Culture and Recreation - Central
Memorial Recreation Centre

The purchase of model 3000 - Telescopic Bleacher
Seating - 2 sections - portable - seating capacity
120 people, supply, reassemble and install on site
at the Central Memorial Recreation Centre \$4,500.00

NOTE: All applicable taxes included.

- 10.(b) That the Finance Committee be requested to recommend the method of financing this expenditure.

- 11.(a) That the following consultants be appointed to prepare detailed plans, specifications and cost estimates for the renovations of the Inch Rink/Pool Unit, as provided for in the 1982 portion of the 1981-1985 Capital Budget Programme.

(i) MOFFAT ENGINEERING LIMITED, Hamilton, Ontario
To carry out investigations, prepare plans
and specifications and cost estimates for the
mechanical and electrical aspects of the Inch
Rink/Pool Renovation Project, at an estimated
cost of \$18,000.00

(ii) PARKER CONSULTANTS LTD., Hamilton, Ontario
To carry out investigations, prepare plans
and specifications and cost estimates for the
structural aspects of the Inch Rink/Pool
Renovation Project, at an estimated cost of . \$ 8,500.00

- (b) That the Finance Committee be requested to recommend the method of financing the cost of these consultants' fees in the total amount of \$26,500.00.

NOTE: It is imperative that consultants be appointed at this time in order to assure that construction of the project can commence in April 1982 with completion in mid-October, 1982.

12. Approval of the application by the Portuguese Parish of Hamilton to hold celebrations in Dundurn Park on Saturday, August 22, 1981 and Sunday, August 23, 1981, subject to terms and conditions as set by the Director of Culture and Recreation and as outlined in the City's policy respecting the serving of alcoholic beverages in City Parks.

13. That the following rates, for the City of Hamilton Recreation Centres, be implemented for the 1981-1982 season:

<u>CATEGORY</u>	<u>Existing 1980-81</u>		<u>Proposed 1981-82</u>	
	<u>RESIDENT</u>	<u>NON-RESIDENT</u>	<u>RESIDENT</u>	<u>NON-RESIDENT</u>
<u>Membership:</u>				
Family	\$25.00 . . . .	.\$50.00 . . . .	.\$30.00 . . . .	.\$55.00
Family(Summer) . .	\$15.00 . . . .	.\$30.00 . . . .	.\$20.00 . . . .	.\$35.00
Adult	\$15.00 . . . .	.\$30.00 . . . .	.\$20.00 . . . .	.\$35.00
Youth	\$ 5.00 . . . .	.\$10.00 . . . .	.\$ 5.00 . . . .	.\$10.00
Child	\$ 4.00 . . . .	.\$ 8.00 . . . .	.\$ 4.00 . . . .	.\$ 8.00
Senior Citizen (Pensioner) & Disabled	\$ 2.00 . . . .	.\$ 4.00 . . . .	.\$ 2.00 . . . .	.\$ 4.00
Instructional Programme Fee (Sr. Citizen) . .	\$ 1.00 per course		\$ 2.00 per course	
Adult Instructional Membership	\$ 2.00 percourse		\$ 5.00 per course	

Admission Tickets

Non-Members:

Youth	\$00.60 . . . . .	.\$00.75
Child	\$00.35 . . . . .	.\$00.50

NOTE: For the information of the members of City Concil, additional revenue in the amount of approximately \$39,000.00 will be realized as a result of the implementation of these rates.

- 14.(a) That section 4 of the Sixteenth Report of the Parks and Recreation Committee, approved by City Council on June 28th, 1981 which granted permission to the Hamilton Junior Chamber of Commerce to park automobiles in Scott Park for 1981, be amended so as to provide for an increase in the fee to be paid to the City, from \$1,000.00 to \$1,500.00, and for the Jaycees to increase their parking fee from \$1.50 to \$2.00 per car.

- 15.(a) That the services of the firm M. R. Byrne and Associates Ltd., the city's mechanical consultanting engineers for the Dundurn Restaurant Project, be extended to provide the necessary design work for an automatic sprinkler system for the new restaurant.

The design fee to be based on the per diem rate of the A.P.E.O., not to exceed the estimated amount of \$5,000.00 and to be kept apart from their per diem based fee for the restaurant project proper.

- (b) That the incorporation of provisions for an automatic sprinkler system in the construction of the Dundurn Castle Restaurant, tied into a future automatic sprinkler system for Dundurn Castle, be approved at an estimated cost of \$15,000.00.
- (c) That the Finance Committee be requested to recommend the method of financing the total estimated cost of this project of \$20,000.00.
- 16.(a) That the following Aquatic Registration Fee be implemented effective September 8, 1981.

	<u>Existing</u>	<u>Proposed</u>
Summer Lesson Programme (only) . . .	\$.1.00 . . .	\$2.00
Fall/Winter/Spring Lesson Programme.	\$.1.00 . . .	\$3.00

- (b) That \$1.00 of this fee be retained by the City of Hamilton as revenue, and the balance be utilized to defray the cost of awards for the programme.

17. That the following rates for Arenas and Rinks be implemented for the 1981-82 season:

<u>CATEGORY</u>	<u>EXISTING</u>	<u>PROPOSED</u>
Adult Arena Rental - Prime Time All weekend and . . .	\$55.00 \$ 60.00/hr. Monday to Friday 5:00 pm - 1:00 am	\$70.00/hr. Monday to Friday 6:00 pm - 1:00 am
Youth Arena Rental - Prime Time	\$35.00/hr. All weekend to 11:30 pm & Monday - Friday 5:00 pm - 11:00 pm	\$35.00/hr. All weekend to 10:00 pm & Monday - Friday 6:00 pm - 10:00 pm
Adult Rink Rental - Prime Time All weekend and . . .	\$40.00/hr. Monday - Friday 5:00 pm - 1:00 am	\$45.00/hr. Monday - Friday 6:00 - 1:00 am
Youth Rink Rental - Prime Time	\$25.00/hr. All Weekend - 11:00 pm & Monday - Friday 5:00 pm - 11:00 pm	\$30.00/hr. All weekend to 10:00 pm & Monday - Friday 6:00 pm - 10:00 pm
Tickets (Non-member admissions)	<u>Afternoon/Evenings</u>	<u>Afternoon/Evening</u>
Adults	.60 .75	.75 1.00
Youth	.50 .50	.50 .75
Lounge Rentals	\$7.50/hr.	\$7.00/hr.

18. That the request by the London Life Slow Pitch League to erect a beer tent for the purpose of serving alcoholic beverages at their Inter-City Tournament, September 18th, and 19th, 1981 at Globe Park, be approved as a pilot project, subject to:
 - (a) the organization obtaining the necessary approval of the Liquor Control Board of Ontario and other appropriate authorities; and,
 - (b) terms and conditions as deemed necessary by the Director of Culture and Recreation.
19. That the application by the Hamilton Fire Fighters Association, as hosts of the 1st Ontario Fire Fighters Olympics, to hold a Golf Challenge at the Chedoke Golf Course, practice areas, on Wednesday, September 9th, 1981, be approved subject to conditions as outlined by the Pro-Manager and that the rental fee for the event be approved at 10% of the gross revenue for that event.
- 20.(a) That the concept plan, attached as schedule "B" for the redevelopment of the Norman "Pinky" Lewis Recreation Complex, dated May 29th, 1981, be implemented pursuant to the provisions of the Neighbourhood Improvement Programme (N.I.P.); and,
 - (b) That the Director of Public Works be authorized and directed to take all steps necessary to commence, and complete the redevelopment as per (a), above.

NOTE: For the information of the members of City Council this plan has been approved by the Gibson and Landsdale Citizens N.I.P. Committees.

Subject to the concurrence and recommendation of the Planning and Development Committee, and approval of City Council, the cost of the redevelopment, which is estimated to be \$300,000.00 will be financed pursuant to the provisions of the Neighbourhood Improvement Programme in the Gibson and Landsdale Redevelopment Areas.

- 21.(a) That the concept, plan attached as schedule "C", for the redevelopment of the Century Street Parkette, be implemented pursuant to the provisions of the Neighbourhood Improvement Programme (N.I.P.); and,
 - (b) That the Director of Public Works be authorized and directed to take all steps necessary to commence, and complete the redevelopment as per (a), above.

NOTE: For the information of the members of City Council this plan has been approved by the Landsdale Citizens N.I.P. Committee.

Subject to the concurrence and recommendation of the Planning and Development Committee, and approval of City Council, the cost of the redevelopment, which is estimated to be \$10,000.00 will be

financed pursuant to the provisions of the Neighbourhood Improvement Programme in the Landsdale Redevelopment Area.

- 22.(a) That the concept plan, attached as schedule "D" for the redevelopment of Woodlands Park, be implemented pursuant to the provisions of the Neighbourhood Improvement Programme (N.I.P.); and,

- (b) That the Director of Public Works be authorized and directed to take all steps necessary to commence, and complete the redevelopment as per (a), above.

NOTE: For the information of the members of City Council this plan has been approved by the Landsdale Citizens N.I.P. Committee.

Subject to the concurrence and recommendation of the Planning and Development Committee, and approval of City Council, the cost of the redevelopment, which is estimated to be \$300,000.00 will be financed pursuant to the provisions of the Neighbourhood Improvement Programme in the Gibson and Landsdale Redevelopment Areas.

- 23.(a) That the concept plan, attached as schedule "E" for the redevelopment of Birge Park, be implemented pursuant to the provisions of the Neighbourhood Improvement Programme (N.I.P.); and,

- (b) That the Director of Public Works be authorized and directed to take all steps necessary to commence, and complete the redevelopment as per (a), above.

NOTE: For the information of the members of City Council this plan has been approved by the Landsdale Citizens N.I.P. Committee.

Subject to the concurrence and recommendation of the Planning and Development Committee, and approval of City Council, the cost of the redevelopment, which is estimated to be \$200,000.00 will be financed pursuant to the provisions of the Neighbourhood Improvement Programme in the Gibson and Landsdale Redevelopment Areas.

- 24.(a) That the concept plan, attached as schedule "F" for the development of the former Westend Sanitary Landfill Site, adjacent to Highway #403, be implemented pursuant to the provisions of the Neighbourhood Improvement Programme (N.I.P.); and,

- (b) That the Director of Public Works be authorized and directed to take all steps necessary to commence, and complete the development as per (a), above.

NOTE: Implementation of the above is subject to ownership of the site being transferred from the Regional Municipality of Hamilton-Wentworth to the Corporation of the City of Hamilton.

Subject to the concurrence and recommendations of the Planning and Development Committee and the Finance Committee, and approval by City Council, the cost of this development, which is estimated to be \$200,000.00, will be financed pursuant to the provisions of the Neighbourhood Improvement Programme, in the Kirkendall-Strathcona Redevelopment Area.

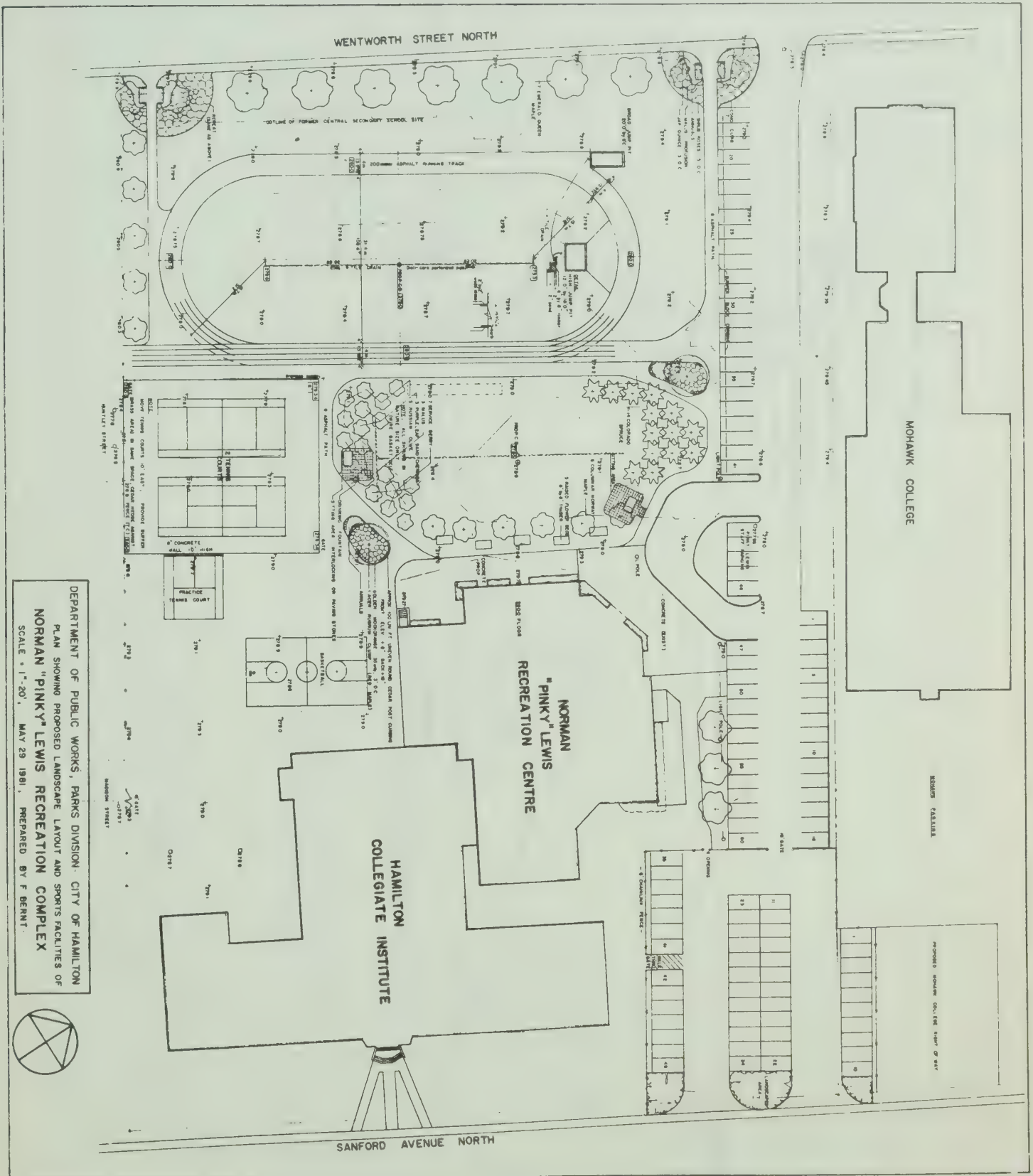
25. For the information of the members of City Council, the Parks and Recreation Committee advises that Mr. Tony James has been appointed to serve the unexpired term of the late Mrs. E. Hemstreet on the Parks and Recreation Citizens Advisory Committee.
26. That leave be granted to introduce the following bills:
 - (i) Bill C-2 - By-law to Increase the Tariff of Charges for City-owned Cemeteries.
 - (ii) Bill C-3 - By-law to Establish Community Centres at Various Locations.

Respectfully submitted,

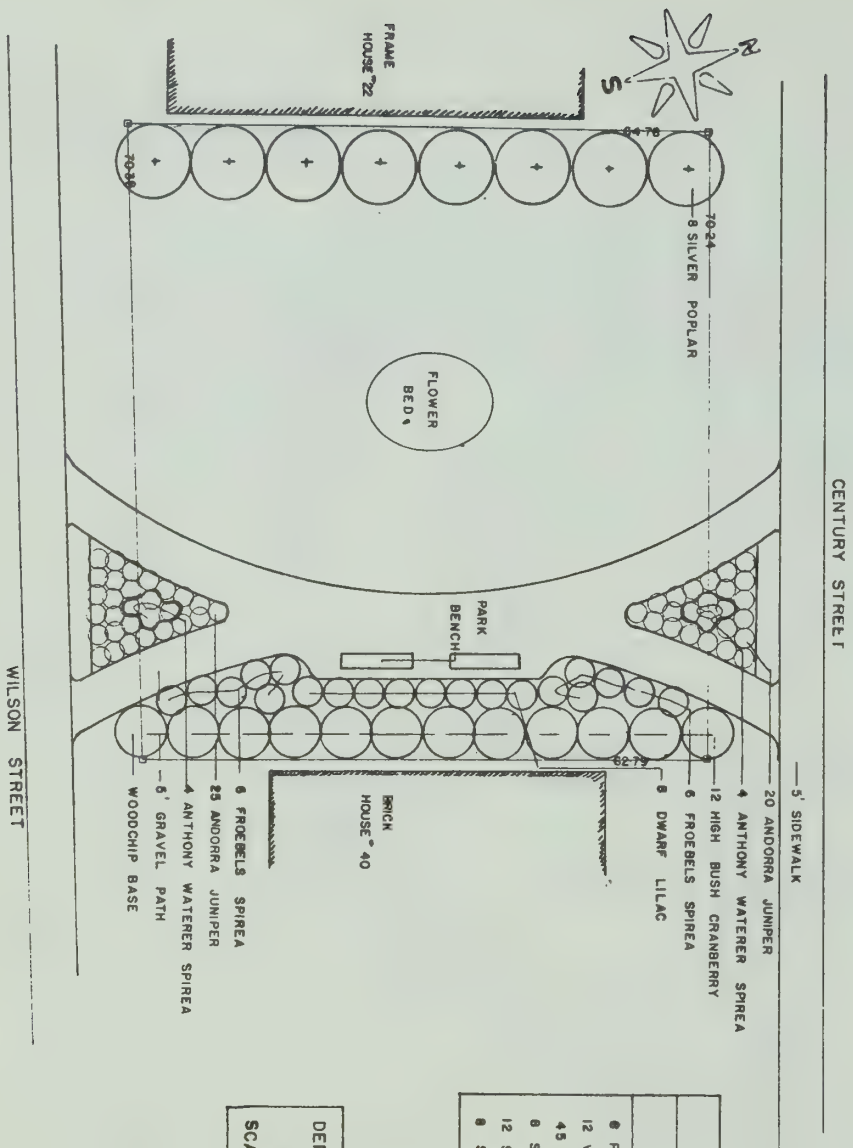
ALDERMAN K. M. EDGE, CHAIRMAN
PARKS AND RECREATION COMMITTEE

J. J. Schatz
Secretary
July 16th, 1981
attachments.

Schedule "B" - Nineteenth
Report of the Parks and
Recreation Committee - Referred
to in Item 20(a).



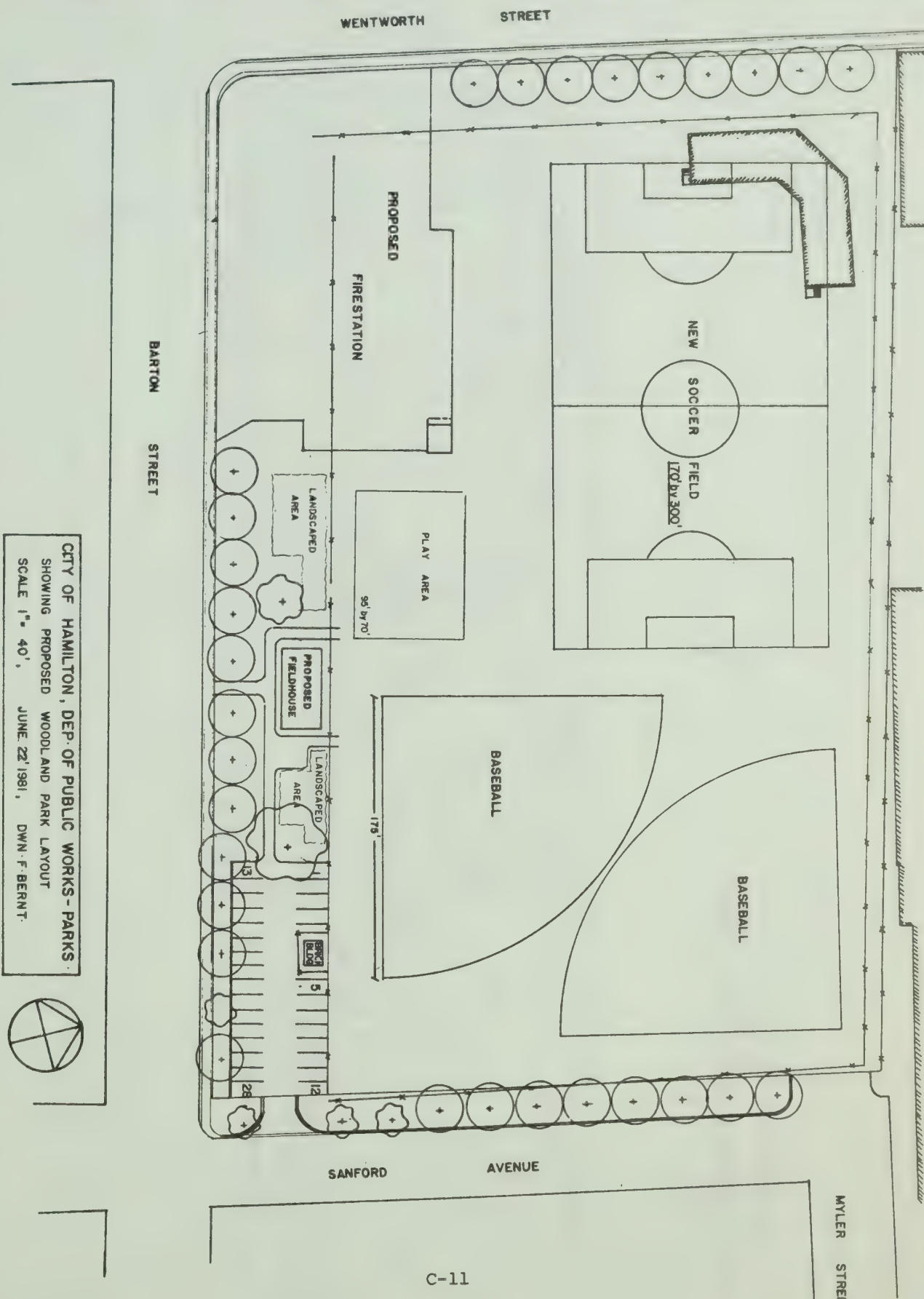
Schedule "C" - As referred to in item 21(a) of the Nineteenth Report of the Parks and Recreation Committee.



PLANTLIST	
BOTANICAL NAME	COMMON NAME
POPULUS ALBA BOLLEANA	SILVER POPLAR
VIBURNUM TRILOBUM	HIGH BUSH CRANBERRY
JUNIPERUS HORIZONTALIS PLUMOSA COMPACTA	ANDORRA JUNIPER
SPIREA BUMALDA WATERER	ANTHONY WATERER SPIREA
SPIREA BUMALDA 'FROEBELI'	FROEBELS SPIREA
STRINGA VELUTINA	DWARF LILAC

DEPARTMENT OF PUBLIC WORKS, PARKS DIVISION CITY OF HAMILTON
 SHOWING PROPOSED LANDSCAPE LAYOUT OF CENTURY STREET PARKETTE
 SCALE, 1"=10' JUNE 22 1981, PREPARED BY F. BERNT

Schedule "D" - As referred to in item 22(a) of the Nineteenth Report of the Parks and Recreation Committee.



CITY OF HAMILTON, DEP. OF PUBLIC WORKS - PARKS
 SHOWING PROPOSED WOODLAND PARK LAYOUT
 SCALE 1" = 40' JUNE 22, 1981, DWN. F. BERNI.





Schedule "F" - As referred to in
item 24(a) of the Nineteenth
Report of the Parks and Recreation
Committee.

DEPARTMENT OF PUBLIC WORKS · PARKS DIVISION · CITY OF HAMILTON
FORMER WEST HAMILTON LANDFILL SITE
CONTOUR INTERVALS - .5 meters
1981 - JULY



REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of The Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its EIGHTEENTH Report and respectfully recommends:-

1. That the request made by Dominion Stores Limited to amend the Official Plan from "Residential" to "Commercial" for 9.35 ha (23.1 acres) of land situated north of Rymal Road between West 5th Street and Upper James Street be denied for the following reasons:
 - i) the area lies within the Stage 2 Development Area, is not fully serviced and is not expected to be serviced for some time;
 - ii) neighbourhood plans have not been prepared for this and adjacent neighbourhoods;
 - iii) the subject lands do not comply with the Multi-Use Centre locations established in the Official Plan;
 - iv) approval of this request would set an undesirable precedent and could lead to further pressures for commercial development along Upper James Street;
 - v) information has not yet been provided which indicates that the viability of existing and approved commercial development will not be jeopardized; and,
 - iv) an amendment to the Official Plan would be more appropriately considered at the time of secondary plan approval and/or when a rezoning is proposed.
2. That approval be given to City Initiative 81-C, to amend Zoning By-law No.6593 with respect to the regulation of "Motion Picture Studios" as follows:
 - i) That the term "motion picture theatre" be repealed wherever it appears in By-law No.6593.
 - ii) That section 2.(2)D of By-law No.6593 be amended to provide a new definition of "motion Picture Studio" to the following effect:
 - 2.(2)D(via) "Studio, motion picture" means a building or structure for motion picture production or other audio visual processes, and includes a non-commercial viewing studio with a maximum seating capacity for twenty-five persons.
 - iii) That Section 2.(2)D of By-law No.6593 be amended to provide a new

definition of "theatre" to the following effect:

- 2.(2)D.(viii) "Theatre" means a building or structure designed for the presentation of motion pictures, theatrical and other staged entertainment services.
- iv) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No.6593 and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk.
- v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

EXPLANATORY NOTE:

The purpose of the By-law will be to provide for an amendment to Zoning By-law No.6593, so as to delete the term "Motion picture theatre", and to establish definitions of the terms "motion picture studio" and "theatre".

3. That approval be given to City Initiative 81-0, to amend Zoning By-law No.6593 with respect to the area requirements in Sections 11 (Multiple Dwellings, Lodges, Clubs, etc.) Districts, 11A (Multiple Dwellings, Lodges, Clubs, etc.) Districts, 11B (Multiple Dwellings) Districts, and 11C (High Density Multiple Dwellings) Districts, as follows:
 - 1) That Sections 11.(3)(i)(b), 11.(3)(ii)(b), 11.(3)(iii)(b), 11A.(3)(i)(b), 11A.(3)(ii)(b), 11A.(3)(iii)(b), 11B.(3)(i)(b), 11B.(3)(ii)(b), 11B.(3)(iii)(b), 11C.(2)(a), 11C(2)(b) and 11C.(2)(c) of By-law No.6593 be amended by deleting the phrase "one four hundredth" wherever it appears, and substituting the phrase "one one-hundred and twentieth" therefor.
 - ii) That the City Solicitor be directed to prepare a By-law accordingly.
 - iii) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

EXPLANATORY NOTE:

The purpose of the By-law will be to provide an amendment to Zoning By-law No.6593, so as to correct the formula for calculating yard requirements in Sections 11 (Multiple Dwellings, Lodges, Clubs, etc.), 11A (Multiple Dwellings, Lodges, Clubs, etc.), 11B (Multiple Dwellings) and 11C (High Density Multiple Dwellings) by reducing the factor 1/400 to 1/120 in keeping with By-law No.80-049 respecting metrication.

By-law No.80-049 passed on February 26, 1980 converted imperial units of measurement in General Zoning By-law No.6593 into metric units of measurement. However, through inadvertance the formula for calculating the yard requirements in the general Zoning By-law was not adjusted to reflect the metric conversion. It was never the intent of Council to reduce the yard requirements when By-law No.6593 was converted to metric measurement.

4. That approval be given to City Initiative 81-J, to amend Zoning By-law No.6593 with respect to the definition of "Automobile Service Station" as follows:

- i) That Section 2.(2)D.(i) of By-law No.6593 be amended to read as follows:

"Automobile Service Station" shall mean a public garage where gasoline, oil, or any other motor vehicle fuel is kept for sale and where only minor or running repairs essential to the actual operation of motor vehicles may also be performed, and where grease, anti-freeze, tires, spark plugs and other automobile accessories may also be sold, and where motor vehicles may also be oiled, greased or have their ignition adjusted or their batteries charged, but where no other activities of a public garage are carried on and where no car wash operations are carried on.

- ii) That the City Solicitor be directed to prepare a By-law accordingly.

- iii) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

EXPLANATORY NOTE:

The purpose of the by-law will be to provide for an amendment to Zoning By-law No.6593, so as to establish a revised definition of "Automobile Service Station"

5. That approval be given to City Initiative 81-P, to amend the "M-11", "M-12" "M-13", "M-14" and "M-15" District (Prestige Industrial) regulations as set out under Section 17C of Zoning By-law No.6593 on the following basis:

- i) That Section 17C be repealed in its entirety and the following new sections containing appropriate zoning regulations be substituted therefor:

Section 17C - "M-11" (Prestige Industrial) Districts
Section 17D - "M-12" (Prestige Industrial) Districts
Section 17E - "M-13" (Prestige Industrial) Districts
Section 17F - "M-14" (Prestige Industrial) Districts
Section 17G - "M-15" (Prestige Industrial) Districts

- ii) That the variances and restrictions contained in By-laws 75-249, 78-44, 79-252, 79-296, 79-45, 79-160, 80-56 and 80-223 which modify the existing M-District zoning applicable to certain properties, be retained through the implementation of new amending by-laws as may be necessary.
- iii) That a new by-law be enacted to incorporate provisions for each District set out in clause i) above as applied to lands shown on the plan marked as APPENDIX "A" attached, as follows:-

A. SECTION 17C - M-11 DISTRICTS (PRESTIGE INDUSTRIAL)(i) Uses Permitted

In an M-11 District, one or more of the following uses shall be permitted:

COMMERCIAL USES	(For reference only (Standard Industrial Classifications)
(1) Restaurants	(886)
(2) Caterers	(886)
(3) Taverns	(886)
(4) Banks and Other Deposit Accepting Establishments	(701)
(5) Security Brokers and Dealers	(705)
(6) Other Credit Agencies	(703)
(7) Investment and Holding Companies	(707)
(8) Post Offices	(548)
(9) Gasoline Service Stations	(654)
(10) Motor Vehicle Repair Shops excluding Auto Body Work and Painting	(658)
(11) Food Stores	(631)
(12) Retail Stores	(699)
(13) Insurance and Real Estate Agencies	(735)
*(14) Insurance Carriers	(721)
(15) Photographic Services	(893)
*(16) Miscellaneous Services	(899)
(17) Barber and Beauty Shops	(872)
(18) Self-Service Laundries & Dry Cleaners	(876)
*(19) Miscellaneous Personal Services	(879)
*(20) Computer Services	(853)
*(21) Advertising Services	(862)
*(22) Offices of Management and Business Consultants	(867)
(23) Offices of Accountants	(861)
(24) Offices of Lawyers and Notaries	(866)
*(25) Miscellaneous Services to Business Management	(869)

(26) Drug Stores	(681)
(27) General Merchandise Stores	(642)
(28) Liquor, Wine and Beer Stores	(696)
*(29) Hardware Stores	(669)
(30) Household Furniture & Appliance Stores	(676)
(31) Tobacconists	(697)
*(32) Book and Stationery Stores	(691)
(33) Tire, Battery and Accessories Shops	(652)

RESIDENTIAL USES

(1) Hotels and Motels	(881)
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PUBLIC USES

(1) Labour Organizations and Trade Associations	(891)
(2) Miscellaneous Services	(899)

ACCESSORY USES

- (1) Accessory buildings, structures and uses customarily ancillary to any of the uses permitted

SIGNS

- (1) In addition to other permitted uses, the following signs shall be permitted:

- (i) ground signs, wall signs, roof signs

- (ii) Area Requirements

There shall be provided and maintained upon the same lot and within the same district, for every building or structure the following area requirements:

- (1) a front yard of a depth of not less than 12.0 m (39.27');
 - (2) a rear yard of a depth of not less than 4.5 m (14.76');
 - (3) where the lot is situated at the junction or intersection of streets or highways, a side yard of 6.0 m (19.69') in width shall be provided only along the side lot line adjacent to the street or highway.

Note: * indicates a new use being added to the District

(iii) Intensity of Use

Every lot or tract of land shall have,

- (1) a width of not less than 30.0 m (98.43'), and
- (2) an area of not less than 1,100.0 m²
(11,840.30 sq.ft.).

(iv) Lot Coverage

No building or structure shall have a building area greater than 60% of the lot area.

(v) Gross Floor Area

No hotel shall have a gross floor area greater than double the lot area.

(vi) Height Requirements

No building or structure or part thereof shall exceed 14.0 m (45.93') in height except that a hotel may be 36.5 m (119.75') in height.

(vii) Landscaped Area

Subject to the following provisions, a landscaped area shall be provided and maintained on the same lot:

- (1) exclusive of access driveway areas, a 6.0 m (19.69') wide landscaped area shall be located in the required front yard directly abutting the streetline;
- (2) exclusive of access driveway areas, where a lot is situated at the junction or intersection of a street or highway, a landscaped area shall be located in and shall occupy the entire required side yard directly abutting the street line;
- (3) where the lot is adjacent to an "A" District, a landscaped area of a width of not less than 7.5 m (24.61') shall be required along the full length of the lot line which abuts the "A" District.

(viii) Parking Requirements

Notwithstanding section 18, in M-11 District, there shall be provided and maintained in the district, upon the same lot upon which one or more buildings or structures are erected, altered, extended or enlarged,

- (1) not less than one parking space for each 37.0 square metres (398.26 square feet) of gross floor area of commercial use, except guest units referred to in clause (2);
- (2) not less than one parking space for each guest unit provided by a hotel or motel, in addition to the parking space required under clauses (1) and (3);
- (3) not less than one parking space for each 6 persons lawfully accommodated in a place of assembly.
- (4) the parking area referred to in clauses (1), (2) and (3) shall be asphalt or concrete surfaced.

(ix) Loading Space Requirements

Notwithstanding section 18 of By-law No. 6593, in the M-11 District, there shall be provided and maintained in the district, on the same lot, for commercial and industrial uses,

- (1) not less than one loading space for each 1,848.0 square metres (19,891.71 square feet) of gross floor area of part thereof, and
- (2) a loading space not less than 15.2 metres (49.87 feet) in length, 3.6 metres (11.81 feet) in width and having vertical clearance of 4.3 metres (14.11 feet).
- (3) Notwithstanding the above no part of a side yard or a front yard that is less than 6.0 metres (19.69 feet) from an abutting street line or an abutting residential district boundary shall be used as a loading space.

(x) Storage Requirements

- (1) Any area used for storage outside of a building or structure shall not exceed 5% of the lot area.
- (2) No yard shall be used for outside storage except a side or rear yard wherein the storage of material or equipment;
 - (i) is completely screened from external view by a fence not less than 1.5 m (4.92') in height and not greater than 3.0 m (9.84') in height; and further,
 - (ii) no part of a side or rear yard that is used for outside storage is less than 6.0 m (19.69') from an abutting street line or an abutting residential district boundary.

(xi) Sign Requirements

- (1) The total aggregate area of all signs shall not exceed 0.5 m² (5.38 sq.ft.) for every 0.5 m (1.64') of frontage on which the lot abuts;
- (2) Maximum Sign Height:
 - (1) 6.0 m (19.69'), in the case of a ground sign;
 - (2) 4.5 m (14.76'), in the case of a wall sign; and
 - (3) 3.5 m (11.48'), in the case of a roof sign.
- (3) No sign shall encroach into any required front yard, or required rear yard except to the following extent:
 - (1) not more than 0.6 m (1.96') in the case of a ground sign;
 - (2) not more than 0.5 m (1.64') in the case of a wall sign.

B. SECTION 17D - M-12 DISTRICTS (PRESTIGE INDUSTRIAL)(i) Uses permitted

In an M-12 District one or more of the following uses shall be permitted:

COMMERCIAL USES	(For reference only (Standard Industrial Classifications)
* (1) Caterers	(886)
* (2) Banks and Other Deposit Accepting Establishments	(701)
* (3) Other Credit Agencies	(703)
(4) Investment and Holding Companies	(707)
(5) Security Brokers and Dealers	(705)
* (6) Engineering and Scientific Services	(864)
* (7) Computer Services	(853)
(8) Advertising Services	(862)
* (9) Miscellaneous Services to Business Management	(869)
(10) Warehouse with ancillary retail sales area not exceeding 25% of the gross floor area of the building	(527)
(11) Vocational Centre, Trade Schools and Business Colleges	(804)
* (12) Post Offices	(548)
(13) Diagnostic and Therapeutic Services	(826)
(14) Radio and Television Broadcasting	(543)
(15) Wholesalers of the following:	
(i) Paper and Paper Products	(611)
(ii) General Merchandise	(612)
(iii) Food	(614)
(iv) Tobacco Products	(615)
(v) Drugs and Toilet Preparations	(616)
(vi) Apparel and Dry Goods	(617)
(vii) Household Furniture and Furnishings	(618)
(viii) Electrical Equipment and Supplies	(621)
* (ix) Farm Machinery and Equipment	(622)
* (x) Machinery and Equipment	(623)
* (xi) Hardware, Plumbing and Heating Equipment	(624)
* (xii) Motor Vehicle and Accessories except those engaged in rebuilding, recapping, retreading or vulcanizing tires and excluding motor vehicles	(619)

(xiii) Lumber and Building Supplies	(626)
(16) Funeral Services Except a Cemetery or Crematorium	(877)
*(17) Radio, Television and Electrical Appliance Repair Shops	(678)
*(18) Services to Buildings and Dwellings	(898)
*(19) Motion Picture Production and Distribution	(842)
*(20) Machinery and Equipment Rental	(895)
*(21) Moving and Storage, Used Goods, Uncrated	(506)
*(22) Other Storage and Warehousing	(527)
(23) Photographic Services	(893)
*(24) Wholesaler, except coal tar products, petroleum gases, organic fertilizers, lumber supplies	(629)
(25) Automobile Washing and Polishing Only	(654)
*(26) Miscellaneous Repair Shops	(897)

INDUSTRIAL USES

(1) Commercial Printing	(286)
(2) Publishing and Printing	(289)
(3) Platemaking, Type Setting, Trade Binding Industry	(287)
(4) Publishing	(288)
* (5) Shoe Factories	(174)
* (6) Leather Glove Factories	(175)
* (7) Luggage, Handbag, and Small Leather Goods Manufacturers	(179)
* (8) Man-made Fibre, Yarn and Cloth Mills	(183)
* (9) Cordage and Twine Industry	(184)
*(10) Carpet, Mat and Rug Industry	(186)
*(11) Canvas Products and Cotton and Jute Bag Industries	(187)
*(12) Automobile Fabric Accessories Industry	(188)
*(13) Miscellaneous Textile Industries	(189)
*(14) Hosiery Mills	(231)
*(15) Knitting Mills	(239)
*(16) Men's and Women's Clothing Industries	(243,244)
*(17) Children's Clothing Industries	(245)

- | | |
|---|-------|
| *(18) Fur Goods Industries | (246) |
| *(19) Foundation Garment Industry | (248) |
| *(20) Miscellaneous Clothing Industries | (249) |

PUBLIC USES

- | | |
|---|-------|
| (1) Labour Organizations and Trade Associations | (891) |
| (2) Miscellaneous Services | (899) |

ACCESSORY USES

- (1) Accessory buildings, structures and uses customarily ancillary to any of the uses including but not limited to the following:
- (i) A dwelling unit not exceeding 83.5 m² (898.81 sq.ft.) which is part of and incidental to an industrial establishment or warehouse.

SIGNS

- (1) In addition to other permitted uses, the following signs shall be permitted:
- (i) ground signs, wall signs, roof signs.

(ii) Area Requirements

- (1) There shall be provided and maintained upon the same lot and within the district, for every building or structure, the following area requirements:
 - (1) a front yard of a depth of not less than 12.0 m (39.27');
 - (2) a rear yard to a depth of not less than 4.5 m (14.76');
 - (3) a side yard of a depth of not less than 10% of the total width of the lot to a maximum of 6.0 m (19.69') except that
- (2) where the lot is situate at the junction or intersection of streets or highways, the width of the required side yard abutting the side lot line adjacent to the street or highway shall not be less than 6.0 m (19.69').

(iii) Intensity of Use

Every lot or tract of land shall have,

- (1) a width of not less than 30.0 m (98.43'), and
- (2) an area of not less than 1,100.00 m² (11,840.30 sq.ft.).

(iv) Lot Coverage

No building or structure shall have a building area greater than 60% of the lot area.

(v) Height Requirements

No building or structure or part thereof shall exceed 14.0 m (45.93').

(vi) Landscaped Area

Subject to the following provisions, a landscaped area shall be provided and maintained on the same lot:

- (1) Exclusive of access driveway areas, a 6.0 m (19.69') wide landscaped area shall be located in the required front yard directly abutting the street line.

- (2) Exclusive of access driveway areas, where a lot is situated at the junction or intersection of a street or highway, a landscaped area shall be located in and shall occupy the entire required side yard directly abutting the street line.
- (3) Where the lot is adjacent to an "A" District, a landscaped area of a width of not less than 7.5 m (24.61') shall be required along the full length of the lot line which abuts the "A" District.

(vii) Parking Requirements

Notwithstanding section 18, in the M-12 District, there shall be provided and maintained in the district, upon the same lot upon which one or more buildings or structures are erected, altered, extended or enlarged,

- (1) Not less than one parking space for each 46.0 m² (495.14 sq.ft.) of gross floor area of industrial use;
- (2) Not less than one parking space for each 37.0 m² (398.26 sq.ft.) of gross floor area of commercial use;
- (3) Not less than one parking space for each 6 persons lawfully accommodated in a place of assembly;
- (4) The parking area referred to in clauses (1), (2) and (3) shall be asphalt or concrete surfaced.

(viii) Loading Space Requirements

Notwithstanding section 18 of By-law No. 6593, in an M-12 District, there shall be provided and maintained in the district, on the same lot for commercial and industrial uses,

- (1) Not less than one loading space for each 1,848.0 m (19,891.71 sq.ft.) of gross floor area or part thereof, and
- (2) A loading space not less than 15.2 m (49.87') in length, 3.6 m (11.81') in width and having vertical clearance of 4.3 m (14.11').

- (3) Notwithstanding the above, no part of a side yard or a front yard that is less than 6.0 m (19.69') from an abutting street line or an abutting residential district boundary shall be used as a loading space.

(ix) Storage Requirements

- (1) Any area used for storage outside of a building or structure shall not exceed 5% of the lot area.
- (2) No yard shall be used for outside storage except a side or rear yard wherein the storage of material or equipment;
- (i) is completely screened from external view by a fence not less than 1.5 m (4.92') in height and not greater than 3.0 m (9.84') in height, and further,
- (ii) no part of a side or rear yard that is used for outside storage is less than 6.0 m (19.69') from an abutting street line or an abutting residential district boundary.

(x) Sign Requirements

- (1) The total aggregate area of all signs shall not exceed 0.5 m² (5.38 sq.ft.) for every 0.5 m 1.64' of street frontage on which the lot abuts;
- (2) Maximum Sign Height:
- (i) 6.0 m (19.69'), in the case of a ground sign;
- (ii) 4.5 m (14.76'), in the case of a roof sign;
- (iii) 3.5 m (11.48'), in the case of a roof sign
- (3) No sign shall encroach into any required side yard, required front yard, or required rear yard except to the following extent:
- (i) not more than 0.6 m (1.96') in the case of a ground sign;
- (ii) not more than 0.5 m (1.64') in the case of a wall sign.

(xi) Distance Separation Between Industrial and Residential Uses

No industrial building or structure shall be erected and no industrial use or outside storage shall be situated less than 90.0 m (295.28') from any building or structure on properties used solely for residential purposes within the area shown on Schedule D-1.

C. SECTION 17E - M-13 DISTRICTS (PRESTIGE INDUSTRIAL)(i) Uses Permitted

In an M-13 District one or more of the following uses shall be permitted:

	(For reference only (Standard Industrial (Classifications)
COMMERCIAL USES	
(1) Warehouse with ancillary retail sales area not exceeding 25% of the gross floor area of the building	(527)
(2) Vocational Centres, Trade Schools and Business Colleges	(804)
(3) Diagnostic and Therapeutic Services	(826)
(4) Radio and Television Broadcasting	(543)
(5) Funeral Services except a Cemetery or Crematorium	(877)
(6) Motion Picture Theatres	(841)
(7) Bowling Alleys and Billiard Parlours	(843)
*(8) Moving and Storage, Used Goods, Uncrated	(506)
*(9) Other Storage and Warehousing	(527)
*(10) Miscellaneous Services to Business Management	(869)
(11) Photographic Services	(893)
*(12) Engineering and Scientific Services	(864)
(13) Wholesalers of the following:	
(i) Paper and Paper Products	(611)
(ii) General Merchandise	(612)
(iii) Food	(614)
(iv) Tobacco Products	(615)
(v) Drugs and Toilet Preparations	(616)
(vi) Apparel and Dry Goods	(617)
(vii) Household Furniture and Furnishings	(618)
(viii) Electrical Equipment and Supplies	(621)
(ix) Lumber and Building Supplies	(626)
(x) Wholesalers except coal tar products, petroleum gases, organic fertilizers	(629)
* (xi) Hardware, Plumbing and Heating Equipment	(624)

(14) Automobile Washing and Polishing	(654)
(15) Advertising Services	(862)
*(16) Computer Services	(853)

INDUSTRIAL USES

(1) Commercial Printing	(286)
(2) Publishing and Printing	(289)
(3) Platemaking, Type Setting, Trade Binding Industry	(287)
(4) Publishing	(288)
* (5) Shoe Factories	(174)
* (6) Leather Glove Factories	(175)
* (7) Luggage, Handbags, etc.	(179)
* (8) Miscellaneous Textile Industry	(189)
* (9) Hosiery Mills	(231)
*(10) Knitting Mills	(239)
*(11) Clothing Industry	(243,244)
*(12) Children's Clothing Industry	(245)
*(13) Fur Goods Industry	(246)
*(14) Foundation Garment Industry	(248)
*(15) Miscellaneous Clothing Industry	(249)
*(16) Electric Lamp and Shade Manufacturers	(268)
*(17) Lighting Fixture Manufacturers	(333)
*(18) Small Electrical Appliance Industries	(331)
*(19) Sporting Goods and Toy Industries	(393)
*(20) Manufacturers of Household Radio and Television Receivers	(334)
*(21) Communications Equipment Manufacturers	(335)
*(22) Miscellaneous Manufacturing Industries	(399)
*(23) Manufacturers of Pharmaceuticals and Medicines	(374)
*(24) Office and Store Machinery Manufacturers	(318)
*(25) Jewelry and Silverware Industry	(392)
*(26) Scientific and Professional Equipment Industry	(391)
*(27) Beverage Industry excluding Malt Beverage Manufacturers	(109)
*(28) Paper Box and Bag Manufacturers	(273)

PUBLIC USES

- (1) Labour Organizations (891)
- (2) Miscellaneous Amusement and Recreation (849)
Services excluding gambling establishments but including wildlife reservations and other conservation projects
- (3) Golf Clubs and Country Clubs (844)
- (4) Libraries, Museums and other Repositories (807)
- (5) Miscellaneous Services (899)

RESIDENTIAL USES

- (1) Camping Grounds and Trailer Parks (884)

ACCESSORY USES

- (1) Accessory Buildings, structures and uses customarily ancillary to any of the uses permitted including but not limited to the following:

*(i) A dwelling unit not exceeding 83.5 m²
(898.81 sq.ft.) which is part of and incidental to an industrial establishment or warehouse.

SIGNS

- (1) In addition to other permitted uses, the following signs shall be permitted:

(i) ground signs, wall signs, roof signs.

(ii) Area Requirements

- (1) There shall be provided and maintained upon the same lot and within the district, for every building or structure, the following area requirements:

- (1) a front yard of a depth of not less than 6.0 m (19.69');
- (2) a rear yard of a depth of not less than 7.5 m (24.61');
- (3) a side yard of a depth of not less than 10% of the total width of the lot to a maximum of 6.0 m (19.69'); except that

- (2) where the lot is situate at the junction or intersection of streets or highways, the width of the required side yard abutting the side lot line adjacent to the street or highway shall not be less than 6.0 m (19.69')

(iii) Intensity Of Use

Every lot or tract of land shall have,

- (1). a width of not less than 30.0 m (98.43'), and
- (2) an area of not less than 1,100.0 m² (11,840.30 sq.ft.)

(iv) Lot Coverage

No building or structure shall have a building area greater than 60% of the lot area.

(v) Height Requirements

No building or structure or part thereof shall exceed 14.0 m (45.93') in height.

(vi) Landscaped Area

Subject to the following provisions, a landscaped area shall be provided and maintained on the same lot:

- (1) Exclusive of access driveway areas, a 6.0 m (19.69') wide landscaped area shall be located in the required front yard directly abutting the street line.
- (2) Exclusive of access driveway areas, where a lot is situated at the junction or intersection of a street or highway, a landscaped area shall be located in and shall occupy the entire required side yard directly abutting the street line.
- (3) Where the lot is adjacent to an "A" District, a landscaped area of a width of not less than 13.5 m (44.29') shall be required along the full length of the lot line which abuts the "A" District.

(vii) Parking Requirements

Notwithstanding section 18 of By-law 6593, in an M-13 District, there shall be provided and maintained in the district, upon the same lot upon which one or more buildings or structures are erected, altered, extended or enlarged,

- (1) Not less than one parking space for each 46.0 m² (495.14 sq.ft.) of gross floor area of industrial use;
- (2) Not less than one parking space for each 37.0 m² (398.26 sq.ft.) of gross floor area of commercial use;
- (3) Not less than one parking space for each 6 persons lawfully accommodated in a place of assembly.
- (4) The parking area referred to in clauses (1), (2) and (3) shall be asphalt or concrete surfaced.

(viii) Loading Space Requirements

Notwithstanding section 18 of By-law 6593, in an M-13 District, there shall be provided and maintained in the district, on the same lot for commercial and industrial uses;

- (1) Not less than one loading space for each 1,848.0 m² (19,891.71 sq.ft.) of gross floor area or part thereof, and
- (2) A loading space not less than 15.2 m (49.87') in length, 3.6 m (11.81') in width and having vertical clearance of 4.3 m (14.11').

(ix) Storage Requirements

- (1) Any area used for storage outside of a building or structure shall not exceed 5% of the lot area.

- (2) No yard shall be used for outside storage except a side or rear yard wherein the storage of material or equipment:
 - (i) is completely screened from external view by a fence not less than 1.5 m (4.92') in height and not greater than 3.0 m (9.84') in height; and further,
 - (ii) no part of a side or rear yard that is used for outside storage is less than 6.0 m (19.69') from an abutting street line or an abutting residential district boundary.

(x) Sign Requirements

- (1) The total aggregate area of all signs shall not exceed 0.5 m² (5.38 sq.ft.) for every 0.5 m (1.69') of street frontage on which the lot abuts
- (2) Maximum Sign Height:
 - (i) 6.0 m (19.69'), in the case of a ground sign;
 - (ii) 4.5 m (14.76'), in the case of a wall sign;
 - (iii) 3.5 m (11.48'), in the case of a roof sign
- (3) No sign shall encroach into any required side yard, required front yard, or required rear yard except to the following extent:
 - (i) not more than 0.6 m (1.96') in the case of a ground sign;
 - (ii) not more than 0.5 m (1.69') in the case of a wall sign.

(xi) Distance Separation Between Industrial And Residential Uses

No industrial building or structure shall be erected and no industrial use or outside storage shall be situated less than 90.0 m (295.28') from any building or structure on properties used solely for residential purposes within the area shown on Schedule D-1.

D. SECTION 17F - M-14 DISTRICTS (PRESTIGE INDUSTRIAL)(i) Uses Permitted

In an M-14 District one or more of the following uses shall be permitted:

COMMERCIAL USES	(For reference only (Standard Industrial (Classifications
(1) Warehouse with ancillary retail sales area not exceeding 25% of the gross floor area	(527)
(2) Vocational Centres, Trade Schools and Business Colleges	(804)
(3) Radio and Television Broadcasting	(543)
(4) Wholesalers of the following:	
(i) Paper and Paper Products	(611)
(ii) General Merchandise	(612)
(iii) Food	(614)
(iv) Tobacco Products	(615)
(v) Drugs and Toilet Preparations	(616)
(vi) Apparel and Dry Goods	(617)
(vii) Household Furniture and Furnishings	(618)
(viii) Electrical Machinery, Equipment and Supplies	(621)
* (ix) Farm Machinery and Equipment	(622)
* (x) Machinery and Equipment	(623)
* (xi) Hardware, Plumbing and Heating Equipment	(624)
* (xii) Motor Vehicles and Accessories except those engaged in rebuilding, recapping, retreading or vulcanizing tires	(619)
* (xiii) Wholesalers	(629)
(xiv) Wholesalers of Lumber and Building Materials including Retail Sales	(626)
(5) Funeral Services except a Cemetery	(877)
*(6) Radio, Television and Electrical Appliance Repair Shops	(678)
*(7) Services to Buildings and Dwellings	(898)
*(8) Machinery and Equipment Rental	(895)
*(9) Moving and Storage, Used Goods, Uncrated	(506)

(10) Other Storage and Warehousing	(527)
(11) Laundries, Cleaners and Pressers	(874)
(12) Urban Transit Systems including Central Terminals	(509)
*(13) Engineering and Scientific Services	(864)
(14) Photographic Services	(893)
(15) Automobile Washing and Polishing	(654)
(16) Advertising Services	(862)
*(17) Miscellaneous Repair Shops	(897)
(18) Diagnostic and Therapeutic Services	(826)

INDUSTRIAL USES

(1) Commercial Printing	(286)
(2) Publishing and Printing	(289)
(3) Platemaking, Type Setting, Trade Binding Industry	(287)
(4) Publishing	(288)
(5) Beverage Industries excluding Malt Beverage Industries	(109)
(6) Bakery Products Industries	(107)
(7) Miscellaneous Food Industries except those engaged in manufacturing cane sugar, starch, glucose, dextrine, beet sugar, invert sugar, sucrose syrup, molasses and beet-pulp, vegetable oils and their by-products such as linseed, rapeseed, soybean and coconut oils, oilcake meal and linseed meal, cooking oils and salad oils, flavouring extracts, syrops and malt	(108)
(8) Dairy Products Industry	(104)
(9) Shoe Factories	(174)
(10) Leather Glove Factories	(175)
(11) Luggage, Handbag, and Small Leather Goods Manufacturers	(179)
*(12) Cotton Yarn and Cloth Mills	(181)
*(13) Wool Yarn and Cloth Mills	(182)
*(14) Man-made Fibre, Yarn and Cloth Mills	(183)
*(15) Cordage and Twine Industry	(186)
*(16) Felt and Fibre Processing Mills	(185)
*(17) Carpet, Mat and Rug Industry	(186)

* (18) Rubber Products Industries except those engaged in the manufacturing of rubber goods such as rubber tires and tubes for vehicles, machinery and implements and the manufacturing of cellulose tape	(162)
* (19) Canvas Products and Cotton and Jute Bags Industries	(187)
* (20) Automobile Fabrics Accessories Industry	(188)
* (21) Miscellaneous Textile Industries	(189)
(22) Hosiery Mills	(231)
* (23) Knitting Mills	(239)
(24) Men's and Women's Clothing Industries	(243,244)
(25) Children's Clothing Industries	(245)
(26) Fur Goods Industries	(246)
(27) Foundation Garment Industry	(248)
(28) Miscellaneous Clothing Industries	(249)
(29) Coffin and Casket Industries	(258)
(30) Electric Lamp and Shade Manufacturers	(268)
(31) Manufacturers of Lighting Fixtures	(333)
(32) Manufacturers of Small Electrical Appliances	(331)
(33) Sash, Door and Other Millwork	(254)
(34) Wooden Box Factories	(256)
(35) Sign and Display Industries	(397)
(36) Sporting Goods and Toy Industries	(393)
(37) Jewelry and Silverware Industry	(392)
(38) Scientific and Professional Equipment Industries	(391)
* (39) Miscellaneous Wood Industries	(259)
(40) Household Furniture Manufacturers	(261)
(41) Office Furniture Manufacturers	(264)
(42) Miscellaneous Furniture and Fixture Manufacturers	(266)
* (43) Fabricated Structural Metal Industry	(302)
(44) Ornamental and Architectural Metal Industries	(303)
(45) Metal Stamping, Pressing and Coating Industry	(304)
(46) Wire and Wire Products Manufacturers	(305)
* (47) Hardware, Tool and Cutlery Manufacturing	(306)
* (48) Machine Shops	(308)

*(49) Manufacturers of Major Appliances	(332)
(50) Manufacturers of Household Radio and Television Receivers	(334)
(51) Communications Equipment Manufacturers	(335)
(52) Manufacturers of Electrical Industrial	(336)
(53) Manufacturers of Electric Wire and Cable	(338)
*(54) Miscellaneous Manufacturing Industries	(399)
(55) Manufacturers of Pharmaceuticals and Medicines	(374)
*(56) Motor Vehicle Parts and Accessories Manufacturing	(325)
*(57) Office and Store Machinery Manufacturers	(318)
(58) Manufacturers of:	
(i) Clay Products	(351)
(ii) Stone Products	(353)
(iii) Concrete Products	(354)
*(59) Building Construction	(404)
*(60) Special Trade Contractors	(421)
(61) Miscellaneous Metal Fabricating Industries	(309)
(62) Glass and Glass Products Manufacturing	(356)
(63) Other Construction	(409)
*(64) Paper Box and Bag Manufacturers	(273)

ACCESSORY USES

- (1) Accessory buildings, structures and uses customarily ancillary to any of the uses permitted including but not limited to the following:

- *(i) A dwelling unit not exceeding 83.5 m² (898.81 sq.ft.) which is part of and incidental to an industrial establishment or warehouse.

SIGNS

- (1) In addition to other permitted uses, the following signs shall be permitted:

- (i) ground signs, wall signs, roof signs.

*NOTE: * indicates a new use being added to the District.

(ii) Area Requirements

There shall be provided and maintained upon the same lot and within the same district, for every building or structure, the following area requirements:

- (1) (i) a front yard of a depth of not less than 6.0 m (19.69');
 - (ii) a rear yard of a depth of not less than 4.5 m (14.76');
 - (iii) a side yard of a depth of not less than 10% of the total width of the lot to a maximum of 6.0 m (19.69'); except that,
- (2) where the lot is situate at the junction or intersection of streets or highways, the width of the required side yard abutting the side lot line adjacent to the street or highway shall not be less than 6.0 m (19.69').

(iii) Intensity of Use

Every lot or tract of land shall have,

- (1) a width of not less than 30.0 m (98.43'), and
- (2) an area of not less than 1,100.0 m² (11,840.30 sq.ft.).

(iv) Lot Coverage

No building or structure shall have a building area greater than 60% of the lot area.

(v) Height Requirements

No building or structure or part thereof shall exceed 14.0 m (45.93').

(vi) Landscaped Area

Subject to the following provisions, a landscaped area shall be provided and maintained on the same lot:

- (1) Exclusive of access driveway areas, a 6.0 m (19.69') wide landscaped area shall be located in the required front yard directly abutting the street line.

- (2) Exclusive of access driveway areas, where a lot is situated at the junction or intersection of a street or highway, a landscaped area shall be located in and shall occupy the entire required side yard directly abutting the street line.
- (3) Where the lot is adjacent to an "A" District, a landscaped area of a width of not less than 7.5 m (24.61') shall be required along the full length of the lot line which abuts the "A" District.

(vii) Parking Requirements

Notwithstanding section 18 of By-law 6593, in an M-14 District, there shall be provided and maintained in the district, upon the same lot upon which one or more buildings or structures are erected, altered, extended or enlarged,

- (1) Not less than one parking space for each 46.0 m² (495.14 sq.ft.) of gross floor area of industrial use;
- (2) Not less than one parking space for each 37.0 m² (398.26 sq.ft.) of gross floor area of commercial use;
- (3) Not less than one parking space for each 6 persons lawfully accommodated in a place of assembly.
- (4) The parking area referred to in clauses (1), (2) and (3) shall be asphalt or concrete surfaced.

(viii) Loading Space Requirements

Notwithstanding section 18 of By-law 6593, in an M-14 District, there shall be provided and maintained in the district, on the same lot for commercial and industrial uses,

- (1) Not less than one loading space for each 1,848.0 m² (19,891.71 sq.ft.) of gross floor area or part thereof, and
- (2) a loading space not less than 15.2 m (49.87') in length, 3.6 m (11.81') in width and having vertical clearance of 4.3 m (14.11').

- (3) Notwithstanding the above, no part of a side yard or a front yard that is less than 6.0 m (19.69') from an abutting street line or an abutting residential district boundary shall be used as a loading space.

(ix) Storage Requirements

- (1) Any area used for storage outside of a building or structure shall not exceed 5% of the lot area.
- (2) No yard shall be used for outside storage except a side or rear yard, or rear yard wherein the storage of material or equipment;
 - (i) is completely screened from external view by a fence not less than 1.5 m (4.92') in height and not greater than 3.0 m (9.84') in height; and further,
 - (ii) no part of a side or rear yard that is used for outside storage is less than 6.0 m (19.69') from an abutting street line or an abutting residential district boundary.

(x) Sign Requirements

- (1) The total aggregate area of all signs shall not exceed 0.5 m² (5.38 sq.ft.) for every 0.5 m (1.64') of street frontage on which the lot abuts;
- (2) The vertical dimensions of a sign shall not be greater than,
 - (i) 6.0 m (19.69'), in the case of a ground sign;
 - (ii) 4.5 m (14.76'), in the case of a wall sign;
 - (iii) 3.5 m (11.48'), in the case of a roof sign,
- (3) No sign shall encroach into any required side yard, required front yard, or required rear yard except to the following extent:
 - (i) not more than 0.6 m (1.96') in the case of a ground sign;
 - (ii) not more than 0.5 m (1.69') in the case of a wall sign.

(xi) Distance Separation Between Industrial and Residential Uses

No industrial building or structure shall be erected and no industrial use or outside storage shall be situated less than 90.0 m (295.28') from any building or structure on properties used solely for residential purposes within the area shown on Schedule D-1.

E. SECTION 17E - M-15 DISTRICTS (PRESTIGE INDUSTRIAL)(i) Uses Permitted

In an M-15 District one or more of the following uses shall be permitted:

COMMERCIAL USES	(For reference only Standard Industrial Classifications)
(1) Warehouse with ancillary retail sales area not exceeding 25% of the gross floor area	(527)
(2) Vocational Centres, Trade Schools and Business Colleges	(804)
(3) Radio and Television Broadcasting	(543)
(4) Wholesalers of the following:	
(i) Paper and Paper Products	(611)
(ii) General Merchandise	(612)
(iii) Food	(614)
(iv) Tobacco Products	(615)
(v) Drugs and Toilet Preparations	(616)
(vi) Apparel and Dry Goods	(617)
(vii) Household Furniture and Furnishings	(618)
(viii) Electrical Machinery, Equipment and Supplies	(621)
* (ix) Farm Machinery and Equipment	(622)
* (x) Machinery and Equipment	(623)
* (xi) Hardware, Plumbing and Heating Equipment	(624)
* (xii) Motor Vehicles and Accessories except those engaged in rebuilding recapping, retreading or vulcanizing tires	(619)
* (xiii) Wholesalers	(629)
(xiv) Wholesalers of Lumber and Building Materials including Retail Sales	(626)
(5) Funeral Services except a Cemetery	(877)
* (6) Radio, Television and Electrical Appliance Repair Shops	(678)
* (7) Services to Buildings and Dwellings	(898)
* (8) Machinery and Equipment Rental	(895)
* (9) Moving and Storage, Used Goods, Uncrated	(506)

(10) Other Storage and Warehousing	(527)
(11) Laundries, Cleaners and Pressers	(874)
(12) Urban Transit Systems including Central Terminals	(509)
*(13) Engineering and Scientific Services	(864)
(14) Photographic Services	(893)
(15) Automobile Washing and Polishing	(654)
(16) Advertising Services	(862)
*(17) Automobile and Truck Rental	(894)
*(18) Motor Vehicle Repair Shops	(658)
*(19) Miscellaneous Repair Shops	(897)
(20) Diagnostic and Therapeutic Services	(826)

INDUSTRIAL USES

(1) Commercial Printing	(286)
(2) Publishing and Printing	(289)
(3) Platemaking, Type Setting, Trade Binding Industry	(287)
(4) Publishing	(288)
(5) Beverage Industries excluding Malt Beverage Manufacturers	(109)
(6) Bakery Products Industries	(107)
(7) Miscellaneous Food Industries except those engaged in manufacturing cane sugar, beet sugar, starch, glucose, dextrine, invert sugar, sucrose syrup, molasses and beet-pulp, vegetable oils and their by- products such as linseed, rapeseed, soy- bean and coconut oils, oilcake meal and linseed meal, cooking oils and salad oils, flavouring extracts, syrups and malt	(108)
(8) Dairy Products Industry	(104)
(9) Shoe Factories	(174)
(10) Leather Glove Factories	(175)
(11) Luggage, Handbag, and Small Leather Goods Manufacturers	(179)
*(12) Cotton Yarn and Cloth Mills	(181)
*(13) Wool Yarn and Cloth Mills	(182)
*(14) Man-made Fibre, Yarn and Cloth Mills	(183)
*(15) Cordage and Twine Industry	(184)
*(16) Felt and Fibre Processing Mills	(185)
*(17) Carpet, Mat and Rug Industry	(186)

* (18)	Rubber Products Industries except those engaged in the manufacturing of rubber goods such as rubber tires and tubes for vehicles, machinery and implements and the manufacturing of cellulose tape	(162)
* (19)	Canvas Products and Cotton and Jute Bags Industries	(187)
* (20)	Automobile Fabrics Accessories Industry	(188)
* (21)	Miscellaneous Textile Industries	(189)
(22)	Hosiery Mills	(231)
* (23)	Knitting Mills	(239)
(24)	Men's and Women's Clothing Industries	(243,244)
(25)	Children's Clothing Industries	(245)
(26)	Fur Goods Industries	(246)
(27)	Foundation Garment Industry	(248)
(28)	Miscellaneous Clothing Industries	(249)
(29)	Coffin and Casket Industries	(258)
(30)	Electric Lamp and Shade Manufacturers	(268)
(31)	Manufacturers of Lighting Fixtures	(333)
(32)	Manufacturers of Small Electrical Appliances	(331)
(33)	Sash, Door and other Millwork	(254)
(34)	Wooden Box Factories	(256)
(35)	Sign and Display Industries	(397)
(36)	Sporting Goods and Toy Industries	(393)
(37)	Jewelry and Silverware Industry	(392)
(38)	Scientific and Professional Equipment Industries	(391)
* (39)	Miscellaneous Wood Industries	(259)
(40)	Household Furniture Manufacturers	(261)
(41)	Office Furniture Manufacturers	(264)
(42)	Miscellaneous Furniture and Fixture Manufacturers	(266)
* (43)	Fabricated Structural Metal Industry	(302)
(44)	Ornamental and Architectural Metal Industries	(303)
(45)	Metal Stamping, Pressing and Coating Industry	(304)
(46)	Wire and Wire Products Manufacturers	(305)
* (47)	Hardware, Tool and Cutlery Manufacturing	(306)
* (48)	Machine Shops	(308)
* (49)	Manufacturers of Major Appliances	(332)

(50) Manufacturers of Household Radio and Television Receivers	(334)
(51) Communications Equipment Manufacturers	(335)
(52) Manufacturers of Electrical Industrial Equipment	(336)
(53) Manufacturers of Electric Wire and Cable	(338)
*(54) Miscellaneous Manufacturing Industries	(399)
(55) Manufacturers of Pharmaceuticals and Medicine	(374)
*(56) Motor Vehicle Parts and Accessories Manufacturing	(325)
*(57) Office and Store Machinery Manufacturers	(318)
(58) Manufacturers of:	
(i) Clay Products	(351)
(ii) Stone Products	(353)
(iii) Concrete Products	(354)
*(59) Building Construction	(404)
*(60) Special Trade Contractors	(421)
*(61) Highway, Bridge and Street Construction	(406)
(62) Miscellaneous Metal Fabricating Industries	(309)
(63) Glass and Glass Products Manufacturing	(356)
(64) Other Construction	(409)
*(65) Miscellaneous Petroleum and Coal Products Industries, Limited to Asphalt and Paving Materials Only	(369)
(66) Paper Box and Bag Manufacturing	(273)

ACCESSORY USES

- (1) Accessory buildings, structures and uses customarily ancillary to any of the uses permitted, including, but not limited to the following:

- * (i) A dwelling unit not exceeding 83.5 m² (898.81 sq.ft.) which is part of and incidental to an industrial establishment or warehouse.

SIGNS

- (1) In addition to other permitted uses, the following signs shall be permitted:

- (i) ground signs, wall signs, roof signs.

*NOTE: * indicates a new use being added to the District.

(ii) Area Requirements

(1) There shall be provided and maintained upon the same lot and within the district, for every building or structure, the following area requirements:

- (1) a front yard of a depth of not less than 6.0 m (19.69');
- (2) a rear yard of a depth of not less than 4.5 m (14.76');
- (3) a side yard of a depth of not less than 10% of the total width of the lot to a maximum of 6.0 m (19.69') except that,
- (2) where the lot is situate at the junction or intersection of streets or highways, the width of the side yard abutting the side lot line adjacent to the street or highway shall not be less than 6.0 m (19.69').

(iii) Intensity of Use

Every lot or tract of land shall have,

- (1) a width of not less than 30.0 m (98.43'), and
- (2) an area of not less than 1,100.0 m² (11,840.30 sq.ft.).

(iv) Lot Coverage

No building or structure shall have a building area greater than 60% of the lot area.

(v) Height Requirements

No building or structure or part thereof shall exceed 14.0 m (45.93').

(vi) Landscaped Area

Subject to the following provisions, a landscaped area shall be provided and maintained on the same lot,

- (1) Exclusive of access driveway areas, a 6.0 m (19.69') wide landscaped area shall be located in the required front yard directly abutting the street line.

- (2) Exclusive of access driveway areas, where a lot is situated at the junction or intersection of a street or highway, a landscaped area shall be located in and shall occupy the entire required side yard directly abutting the street line.
- (3) Where the lot is adjacent to an "A" District, a landscaped area of a width of not less than 7.5 m (24.61') shall be required along the full length of the lot line which abuts the "A" District.

(vii) Parking Requirements

Notwithstanding section 18 of By-law 6593, in an M-15 District, there shall be provided and maintained in the district, upon the same lot upon which one of more buildings or structures are erected, altered, extended or enlarged,

- (1) Not less than one parking space for each 46.0 m² (495.14 sq.ft.) of gross floor area of industrial use;
- (2) Not less than one parking space for each 37.0 m² (398.26 sq.ft.) of gross floor area of commercial use;
- (3) Not less than one parking space for each 6 persons lawfully accommodated in a place of assembly;
- (4) The parking area referred to in clauses (1), (2) and (3) shall be asphalt or concrete surfaced.

(viii) Loading Space Requirements

Notwithstanding section 18 of By-law 6593, in an M-15 District, there shall be provided and maintained in the district, on the same lot for commercial and industrial uses,

- (1) Not less than one loading space for each 1,848.0 m² (19,891.71 sq.ft.) of gross floor area or part thereof, and
- (2) A loading space not less than 15.2 m (49.87') in length, 3.6 m (11.81') in width and having vertical clearance of 4.3 m (14.11').

- (3) Notwithstanding the above, no part of a side yard or a front yard that is less than 6.0 m (19.69') from an abutting street line or an abutting residential district boundary shall be used as a loading space.

(ix) Storage Requirements

- (1) No yard shall be used for outside storage except a side or rear yard wherein the storage of material or equipment is:
- (i) completely screened from external view by a fence not less than 1.5 m (4.92') in height and not greater than 3.0 m (9.84') in height; and further
 - (ii) no part of a side or rear yard that is used for outside storage is less than 6.0 m (19.69') from an abutting street line or an abutting residential district boundary.

(x) Sign Requirements

- (1) The total aggregate area of all signs shall not exceed 0.5 m² (5.38 sq.ft.) for every 0.5 m (1.64') of street frontage on which the lot abuts.
- (2) The vertical dimension of a sign shall not be greater than:
- (i) 6.0 m (19.69'), in the case of a ground sign;
 - (ii) 4.5 m (14.76'), in the case of a wall sign;
 - (iii) 3.5 m (11.48'), in the case of a roof sign.
- (3) No sign shall encroach into any required side yard, required front yard, or required rear yard except to the following extent:
- (i) not more than 1.6 m (1.96') in the case of a ground sign;
 - (ii) not more than 0.5 m (1.64') in the case of a wall sign.

(xi) Distance Separation Between Industrial and Residential Uses

No industrial building or structure shall be erected and no industrial use or outside storage shall be situated less than 90.0 m (295.28') from any building or structure on properties used solely for residential purposes within the area shown on Schedule D-1.

- iv) That notwithstanding section ii) D. M-14 District as set out above, the M-14 District regulations as applied to lands shown on the plan marked as Appendix "B", attached, be modified to include the following variances:

- (a) that section (i) Uses Permitted be amended to read as follows:

i) Uses Permitted

In an M-14 District one or more of the following uses shall be permitted:

(For reference only
(Standard Industrial
(Classifications

COMMERCIAL USES

- | | |
|--|-------|
| (1) Warehouse with ancillary retail sales area not exceeding 15% of the gross floor area | (527) |
| (2) Vocational Centres, Trade Schools and Business Colleges | (804) |
| (3) Radio and Television Broadcasting | (534) |
| (4) Wholesalers of the following: | |
| (i) Paper and Paper Products | (611) |
| (ii) General Merchandise | (612) |
| (iii) Food | (614) |
| (iv) Tobacco Products | (615) |
| (v) Drugs and Toilet Preparations | (616) |
| (vi) Apparel and Dry Goods | (617) |
| (vii) Household Furniture and Furnishings | (618) |

(viii)	Electrical Machinery, Equipment and Supplies	(621)
(ix)	Wholesalers of Lumber and Building Materials including Retail Sales	(626)
(x)	Wholesale Industrial Warehousing Limited to the Distribution of only Finished Goods and Products	(NA)
(5)	Funeral Services except a Cemetery	(877)
(6)	Radio, Television and Electrical Appliance Repair Shops	(678)
(7)	Other Storage and Warehousing	(527)
(8)	Laundries, Cleaners and Pressers	(874)
(9)	Urban Transit Systems including Central Terminals	(509)
(10)	Photographic Services	(893)
(11)	Automobile Washing and Polishing	(654)
(12)	Advertising Services	(862)
(13)	Diagnostic and Therapeutic Services	(826)
(14)	Gunsmithing (only)	(897)

INDUSTRIAL USES

(1)	Commercial Printing	(286)
(2)	Publishing and Printing	(289)
(3)	Platemaking, Type Setting, Trade Binding Industry	(287)
(4)	Publishing	(288)
(5)	Beverage Industries excluding Malt Beverage Industries	(109)
(6)	Bakery Products Industries	(107)
(7)	Miscellaneous Food Industries except those engaged in manufacturing cane sugar, beet sugar, invert sugar, sucrose syrup, starch, glucose, dextrine, molasses and beet-pulp, vegetable oils and their by-products such as linseed, rapeseed, soybean and coconut oils, oilcake meal and linseed meal, cooking oils and salad oils, flavouring extracts, syrups and malt	(108)

(8)	Shoe Factories	(174)
(9)	Leather Glove Factories	(175)
(10)	Luggage, Handbag, and Small Leather Goods Manufacturers	(179)
(11)	Dyeing of Textiles (only)	(189)
(12)	Hosiery Mills	(231)
(13)	Men's and Women's Clothing Industries	(243, 244)
(14)	Children's Clothing Industries	(245)
(15)	Fur Goods Industries	(246)
(16)	Miscellaneous Clothing Industries	(249)
(17)	Foundation Garment Industries	(248)
(18)	Coffin and Casket	(258)
(19)	Electric Lamp and Shade Manufacturers	(268)
(20)	Manufacturers of Lighting Fixtures	(333)
(21)	Manufacturers of Small Electrical Appliances	(331)
(22)	Sash, Door and Other Millwork	(254)
(23)	Wooden Box Factories	(256)
(24)	Sign and Display Industries	(397)
(25)	Sporting Goods and Toy Industries	(393)
(26)	Jewelry and Silverware Industry	(392)
(27)	Scientific and Professional Equipment Industries	(391)
(28)	Household Furniture Manufacturers	(261)
(29)	Office Furniture Manufacturers	(264)
(30)	Miscellaneous Furniture and Fixture Manufacturers	(266)
(31)	Ornamental and Architectural Metal Industries	(303)

- (32) Metal Stamping, Pressing and Coating Industry (304)
- (33) Wire and Wire Products Manufacturers (305)
- (34) Moulds and Dies (only) (306)
- (35) Miscellaneous Manufacturing Industries limited to: (399)
 - (1) Musical Instruments, Instrumental Cases and Accessories;
 - (2) Stationary Supplies;
 - (3) Art Goods, Stationary, Artificial Flowers;
 - (4) Feathers, Plumes, Hair Goods, Bristle, Brooms, Brushes, Mops;
 - (5) Umbrellas, Canes;
 - (6) Tobacco Pipes, Cigarette Holders;
 - (7) Floor Tiles, Sheet Floorings of Vinyl, or Synthetic Ruins, Vinyl Asbestos or Linoleum;
 - (8) Leatherette, Oilcloth and Other Coated Fabrics Including Water Repellant Fabrics except Rubberized Fabrics;
 - (9) Buttons;
 - (10) Beauty and Barber Shop Equipment;
 - (11) Venitian Blinds;
 - (12) Models and Patterns of all Materials except Extrusion Moulds;
 - (13) Rubber and Metal Stamps and Stencils;
 - (14) Artificial Ice;
 - (15) Candles;
 - (16) Novelties;
 - (17) Establishments primarily engaged in Recording or Duplicating Records, Tapes and Other Media for Bar Reproducing Vocal or Instrumental Performances.

E

(36) Manufacturers of Pharmaceuticals and Medicines (374)

(37) Manufacturers of:

(i) Clay Products (351)

(ii) Stone Products (353)

(iii) Concrete Products (354)

(38) Glass and Glass Products Manufacturing (356)

(39) Building Contractor's Yard (only) (404)

PUBLIC USES

(1) Labour Organizations and Trade Associations (891)

(2) Lodge (899)

(3) Private Club (NA)

(4) A Public Use except a City Yard, District Yard or Public Garbage Dump (NA)

ACCESSORY USES

(1) Accessory buildings, structures and uses customarily ancillary to any of the uses permitted.

SIGNS

(1) In addition to other permitted uses, the following signs shall be permitted:

(i) ground signs, wall signs, roof signs.

(b) that section (ii) Area Requirements be amended to read as follows:

ii) Area Requirements

There shall be provided and maintained upon the same lot and within the same district, for every building or structure, the following area requirements:

- (1) (i) a front yard of a depth of not less than 6.0 m (19.69');
- (ii) a rear yard of a depth of not less than 7.5 m (24.61');
- (iii) a side yard of a depth of not less than 10% of the total width of the lot to a maximum of 7.5 m (24.61') except that,
- (2) where the lot is situate at the junction or intersection of streets or highways, the width of the required side yard abutting the side lot line adjacent to the street or highway shall not be less than 6.0 m (19.69').

(c) that section (vi) Landscaped Area be amended to read as follows:

(vi) Landscaped Area

Subject to the following provisions, a landscaped area shall be provided and maintained on the same lot:

- (1) Exclusive of access driveway areas the required front yard shall be landscaped.
- (2) Exclusive of access driveway areas, where a lot is situated at the junction or intersection of a street or highway, a landscaped area shall be located in and shall occupy the entire required side yard directly abutting the street line.

(d) that clause (3) of section (viii) Loading Space Requirements be amended to read as follows:

(viii) Loading Space Requirements

- (3) Notwithstanding the above, no part of a side yard or a front yard that is less than 7.5 m (24.61') from an abutting street line or an abutting residential district boundary shall be used as a loading space.

(e) that clause (ii) of subsection (2) of section (ix) Storage Requirements be amended to read as follows:

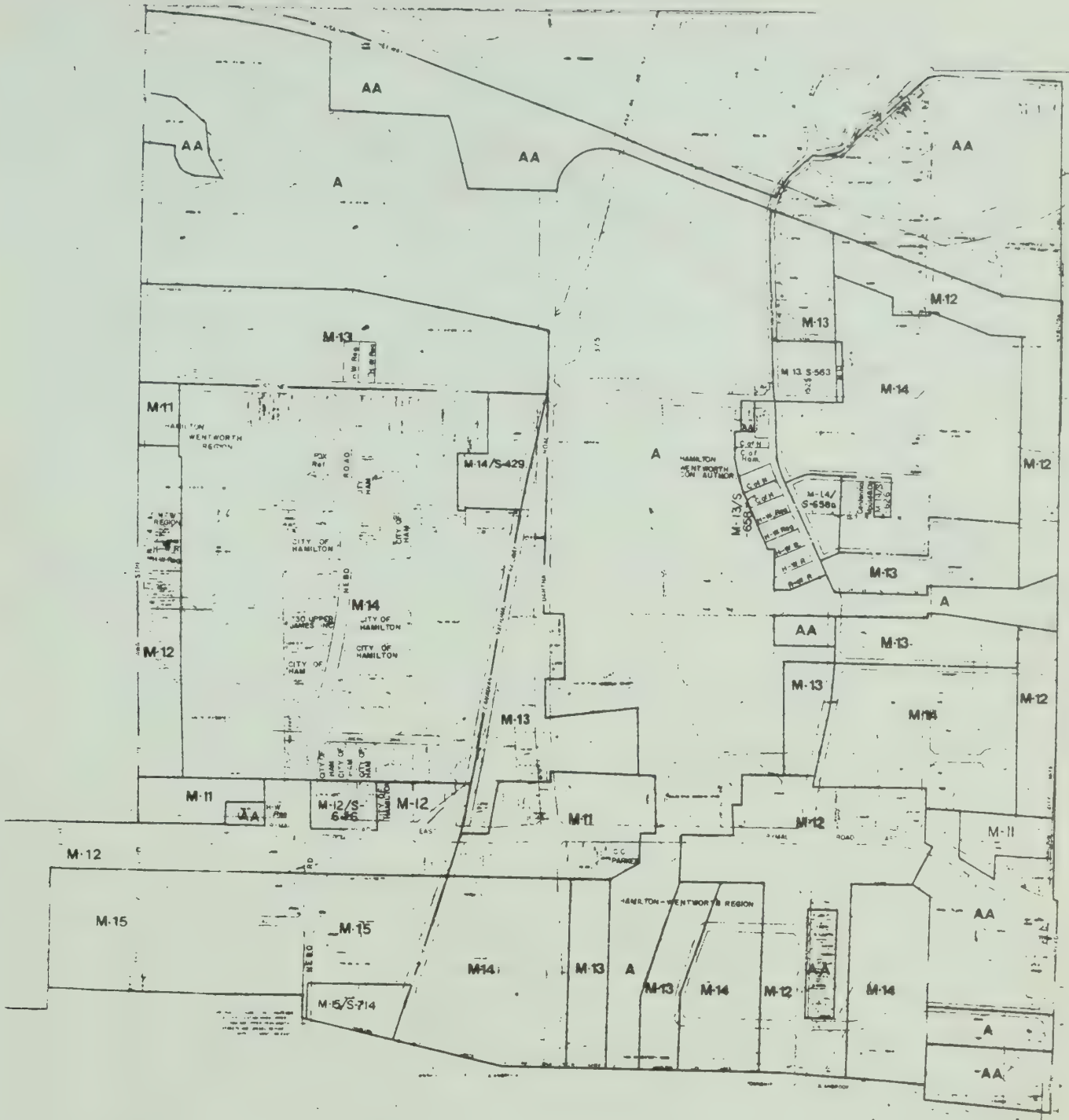
(ix) Storage Requirements

- (ii) no part of a side or rear yard that is used for outside storage is less than 7.5 m (24.61') from an abutting street line or an abutting residential district boundary.

- (f) that section (xi) Distance Separation Between Industrial and Residential Uses be deleted
- (g) that the amending by-law be added to Section 19(b) of the Zoning By-law on Schedule S-759, and that the subject land of Zoning District Map W-46 be notated S-759.
- v) that the City Solicitor be directed to prepare a by-law to amend Zoning By-law 6593 and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk.
- vi) that the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

EXPLANATORY NOTE:

The purpose of the By-law is to make text amendments to the M-11, M-12, M-13, M-14 and M-15 (Prestige Industrial) Districts. Certain new uses have been added to each district and certain regulations related to sign area, area requirements, height requirements, landscaping requirements and separation distance between industrial and residential uses have been amended.



EAST MOUNTAIN INDUSTRIAL PARK

APPENDIX "A"

6. That By-law 75-61 as amended by By-law 75-175 providing for the set-back of buildings on major streets in the central area of the City be amended so as to allow two (2) projecting signs on the front of the property at 211 King Street East and that the City Solicitor be directed to prepare a by-law accordingly.
7. (a) That the City Council request the Ministry of Housing to:
 - i) approve the proposal for a special study to establish "Design criteria for Energy Efficient Neighbourhood Planning"; and,
 - ii) provide, through a grant, financial assistance to initiate the study.
- (b) That the Planning and Development Department staff be directed to submit an application for the said grants for the first stage in the study and, upon completion for the subsequent stages.
- (c) That upon grant approval from the Ministry, City Council direct the Planning and Development Department to undertake the study.
- (d) That the City Clerk be directed to forward Council's resolution to the Regional Council for their endorsement as required by the Ministry of Housing.
8. That the request put forward by the Downtown Association to enact a by-law designating King Street East, and adjacent area as shown on APPENDIX "C" attached, as a Business Improvement Area be granted. The area includes King Street East both sides from James Street on the west to Mary Street on the east; John Street both sides from Main Street on the south to King William Street on the north; Catharine Street both sides from Main Street on the south to King William Street on the north. The Old Spectator Restaurant at 80 King William Street is also included.

The by-law will also establish a Board of Management as indicated on APPENDIX "D", attached.



A P P E N D I X "D"

Proposed Board of Management for the Hamilton
Downtown Improvement Area

Don Burns, Young's Jewellers

Ron Cianconne, Old Spectator Restaurant

Wilfred Gerofsky, Leeds of Hamilton Ltd.

Ted Hendry, Hendry's Shoes

Mr. Kurtzke, Royal Connaught Hotel

Morris Laskin, Career Girl

Alderman Wm. McCulloch, Hamilton City Council

Jim McIntosh, Guaranty Trust

Terry O'Brien, Holiday Inn

Jim Prestedge, Connaught Camera

Joe Ross, Ross' Ladies Wear

Ron Waddington, Waddington's

P. J. Wade, Hamilton Chamber of Commerce

Don Wessell, Terminal Towers (Monarch Properties)

9. That By-law No.80-92 which rezoned lands bounded by Kenilworth Avenue, Kimberly Drive, Dunkirk Drive and the T. H. & B. Railway as shown as APPENDIX "A" attached, be repealed, and that the City Solicitor be directed to prepare a By-law accordingly.

NOTE: Due to the opposition of the property owners in the area to By-law No.80-92 and changed market conditions, the applicant, Tyka Investments Limited has requested that the same be repealed.

10. Approval of the action of the Planning and Development Committee in authorizing the following additions to a Contract previously approved by City Council:

Pigott Construction Ltd. re: Hamilton Convention Centre, for the provision of openings in walls, floors, ceilings and millwork for installation of the beer lines for the Centre, in the total amount of \$1,912.24 in accordance with Change Order No.1100.

11. Approval of the list of applicants submitted herewith and authorization for the Department of Community Development to process grants and/or loans in an amount not to exceed \$7,500.00 with the actual amount of grant or loan to be determined by inspection of the property under the Property Standards By-law 74-74 and pursuant to By-law 78-113.

That the officials of the Corporation involved in this Programme be authorized to take all action that is necessary to process these loan applications and that the Mayor and City Clerk be authorized to execute on behalf of the City any documents required in connection with the Hamilton Rehabilitation Programme:

- | | |
|--|---|
| 1. M. Daisley
744 Upper Wellington Street | 3. R. Winters
231 Holton Avenue South |
| 2. C. Rees
127 Edgemont Street West | 4. D. Whalen
127 Kensington Avenue North |

12. Approval of the list of applicants submitted herewith and authorization for the Department of Community Development to process grants and/or loans in an amount not to exceed \$7,500.00 with the actual amount of grant or loan to be determined by inspection of the property under the Property Standards By-law 74-74 and pursuant to the Housing Development Act Regulation 688/74.

That the officials of the Corporation involved in this Programme be authorized to take all action that is necessary to process these loan applications and that the Mayor and City Clerk be authorized to execute on behalf of the City any documents required in connection with the Ontario Home Renewal Programme:

- | | |
|--|---|
| 1. A. Toth
95 Dalewood Avenue | 9. E. Smith
104 Houghton Avenue North |
| 2. E. Kempster
18 Arkledon Avenue | 10. H. Collver
15 David Avenue |
| 3. S. Kokoski
168 Adair Avenue North | 11. R. Sgro
167 Strathearne Avenue |
| 4. H. VanDriest
115 Southbend Road East | 12. J. Strangeways
29 Dana Drive |
| 5. M. Turnbull
92 North Oval | 13. M. Perioris
257 West 15th Street |
| 6. K. Small
143 Cavell Avenue | 14. L. Petrou
165 Rosslyn Avenue North |
| 7. A. Cook
381 Cope Street | 15. M. Czyz
12 Case Street |
| 8. D. Lively
8 West 4th Street | 16. J. Balabanow
31 Province Street |

17. B. Koch
126 Lower Horning Road

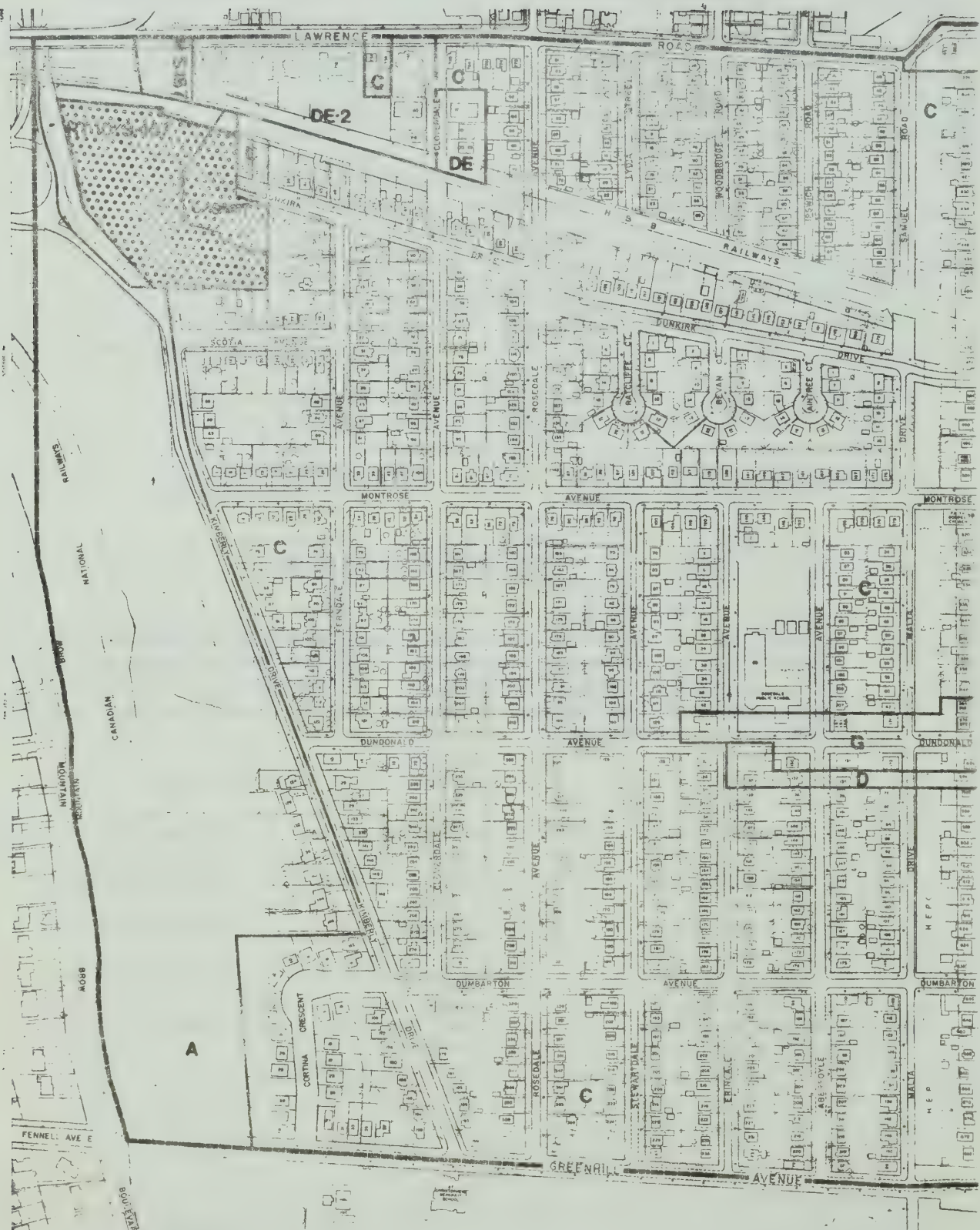
13. Approval of the action of the Planning and Development Committee in authorizing the Building Commissioner to issue demolition permits for the demolition of residential buildings as outlined below for which application has been processed through the Building Department and the Planning and Development Committee:-

2 Rowanwood	124 Burton Street	28 Sawyer
51 Elgin Street	550 Beach Boulevard	372 Beach Boulevard
122 Burton Street	435 Kenilworth Ave. N.	4 North Park Avenue
8 Acorn Street	249 Dundonald	413 Victoria Ave. N.
417 Victoria Ave. N.	419 Victoria Ave. N.	421 Victoria Ave. N.
294 Scenic Drive	215 John Street S.	110 Beach Boulevard
	1477 Stone Church Road E.	

Respectfully submitted

JDT:bg
July 8, 1981

Alderman W. M. McCulloch,
Chairman



LEGEND

Area regulated by By-law No. 80-92 - To be repealed.



REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of The Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its NINETEENTH Report and respectfully recommends:-

1. a) That approval be given to Zoning Application 80-26, Medit Management Ltd., owner, to establish a change in zoning, and modifications to the zoning regulations with respect to the rear portions of properties located at #1165 and #1171 Upper James Street, as shown on the attached plan marked as APPENDIX "A" on the following basis:
 - 1) That part of the subject land designated as Block 1 (Phase 3) be rezoned from "AA" (Agricultural) District to "G3" (Public Parking Lots) District.
- b) That the "HH" (Restricted Commercial) District provisions as contained in By-law 79-172 applicable to the lands designated as Block 2 (Phase 2), and the "HH" (Restricted Commercial) District provisions as contained in Section 14 A of By-law 6593 applicable to Block 3 (Phase 1), be further amended only to the extent of the following variances and restrictions:
 - i) that notwithstanding the provisions of Section 14 A(2) of By-law No.6593, the height of buildings or structures shall not exceed one storey;
 - ii) that notwithstanding the provisions of Section 14 A(5), the "G3" zoned lands (Block 1 of phase 3) cannot be used to increase building coverage on the "HH" zoned portion of the lands (Blocks 1 and 2 or phases 1 and 2).
- c)
 - i) that the amending by-law be added to Section 19(b) of the Zoning By-law as Schedule S-760, and that the subject lands described as Blocks 1, 2 and 3 on Zoning District Map E-9B be noted S-760;
 - ii) that the City Solicitor be directed to prepare a by-law to amend the Zoning By-law 6593 and Zoning District Map E-9B and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk;
 - iii) that the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.

EXPLANATORY NOTE

The by-law will provide for a change in zoning of Block 1 from "AA" (Agricultural) District to "G3" (Public Parking Lots) District to permit only the parking of vehicles, and will further modify established "HH" (Restricted Commercial) District provisions applicable to Blocks 2 and 3 to restrict the

height of buildings or structures to one storey, and by not permitting the parking on the "G-3" (Public Parking Lots) District portion of the site described as Block 1 to be used to increase the building coverage on Blocks 2 and 3.

d) That application to the Ontario Municipal Board for approval of the subject zoning by-law be withheld until such time as the following conditions have been satisfied in full:

i) that the applicant be required to enter into an agreement whereby he agrees to sell to the Region an additional 10' widening and a triangular shaped widening at fair market value when required in connection with the development of the proposed freeway.

2. That approval be given to City Initiative 81-S to establish a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, of rear lands of properties located from #905 to #939 Stone Church Road East, as shown on the attached plan marked as APPENDIX "B"

i) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District.

ii) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-49C, and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk.

iii) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

EXPLANATORY NOTE

The by-law will provide for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District of rear lands of properties located from #905 to #939 Stone Church Road East, the location of which is shown on Zoning District Map E-49C. The purpose of the change is to provide uniform zoning of the properties in question.

3. a) That approval be given to Application SA-81-05, Symroy Corporation Limited and Marvin J. Wasserman, owners, to establish a draft plan of subdivision, Rexford Heights (Phase 1), located on the south side of Limeridge Road, as shown on the attached plan marked as APPENDIX "C" subject to the following conditions:

i) That this approval apply to the plan prepared by A. J. Clarke and Associates, dated May 22, 1981, which shows a total of 12 lots and 4 blocks.

ii) That the road allowance shown on the approved copies of the draft plan be dedicated as public highway on the final plan.

iii) That the streets be named to the satisfaction of the Regional Municipality of Hamilton-Wentworth and the City of Hamilton.

iv) That the owner convey land in the amount of 5% of the land included in the plan to the municipality for park purposes pursuant to the provisions of Section 33 (5) (d) of The Planning Act. Alternatively, the City may require a cash payment in lieu of conveying land in the amount of 5% of the land included in the plan to the municipality for park purposes.

- v) That any dead end and open sides of road allowance created by this plan of subdivision be terminated in 0.5m reserves to be conveyed to the municipality and held by the municipality until required for future road allowance or the development of adjacent land.
 - vi) That the proposed subdivision conform with the restricted area by-law for the City of Hamilton approved by the Ontario Municipal Board under Section 35 of The Planning Act.
 - vii) That Block 13 not be developed except in conjunction with adjacent lands.
 - viii) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
 - ix) That the owners provide the City of Hamilton and the Region with a certified list showing the net area of each lot in the final plan.
 - x) That the owners comply with the residential development standards to control the effects of freeway noise as adopted by City Council on October 9, 1973 and amended by City Council on June 29, 1976 and September 27, 1977.
 - xi) That the plan or any portion of the plan not be registered until such time as municipal services are available to the lands.
 - xii) That the owners agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
- b) That a subdivision agreement be entered into by the Corporation of the City of Hamilton and the Owners to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to Application SA-81-05 Rexford Heights (Phase 1), draft plan of subdivision and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by the City Council.
4. That a two year extension of draft approval for Application SA-77-05, Templemead No.3, The Pioneer Group-All Canadian, owner, located north of Rymal Road East and east of Upper Gage Avenue, be recommended to the Region.
 5. That a one year extension of draft approval for Application SA-78-02, Mike Yaksich, owner, located south of Stone Church Road, on the west side of Upper Paradise Road, be recommended to the Region.
 6. That a one year extension of draft approval for Application SA-78-04, Rymal Industrial Estate No.1, the Regional Municipality of Hamilton-Wentworth, owner, located east of Upper Ottawa Street, between Stone Church and Rymal Roads, be recommended to the Region.
 7. That the following resolution be adopted:

Whereas objections were raised to the approval of By-law 81-66 by area residents at an Ontario Municipal Board Hearing held on June 29, 1981;

And Whereas the Ontario Municipal Board referred the By-law to the Planning and Development Committee and City Council for further review;

And Whereas the Planning and Development met with objectors to the By-law on July 22, 1981;

Now Therefore Be It Resolved that City Council endorse the following modifications to By-law 81-66:

- (1) That paragraph 1 of Subsection 2 of By-law 81-66 be deleted;
- (2) That subsection 2 of By-law 81-66 be amended to read as follows:

"2. The "H" (Community Shopping and Commercial, etc.) district provisions applicable to the land referred to in section 1 are amended to the extent only of the following variances as special requirements:

- i) Notwithstanding section 14(2) of By-law No.6593 the height of the building addition shall not exceed one storey;
- ii) Notwithstanding section 14(3)(ii)(a) of By-law 6593 a side yard having a depth of 1.2 metres (3.94 feet) shall be maintained along the easterly property line for any new building addition or extension."

8. For the information of City Council the Planning and Development Committee approved the following:

"That the submitted plans for the exterior renovations and site development of the lands at No.35, 39, 41 and 43 Duke Street be approved subject to the following:

- a) minor modifications to the plans related to dimensions, notes, grading and landscaping as marked in red on the submitted plans.
- b) approval of the plans by the Ontario Heritage Foundation and the Hamilton Local Architectural Conservation Advisory Committee (LACAC).

Note: Letter of approval dated July 22, 1981 has been filed by LACAC.

- c) approval of the necessary variances by the Committee of Adjustment.

It is further recommended that an application be submitted to City Council by the owner of the property requesting modifications to the building as required by By-law No.75-237 as a Property of Historical and Architectural value and interest."

9. That the City Solicitor be directed to prepare an amendment to the Sub-division Agreement dated July 24, 1968 covering the County Fair Plaza at the north-westerly corner of Mohawk Road and Upper Sherman Avenue, to delete from Schedule "E" the requirement that trees be planted and maintained along the westerly limit of the Plaza; and that the

City Clerk be authorized to execute the amending agreement. The removal of trees is to be carried out by and at the expense of the owner of the Plaza lands.

10. That approval be given to the Ryckman Multi-Centre plan as APPENDIX "D" attached, to establish land use in the area.

NOTE: The Ryckman Multi-Centre Plan has been prepared to guide the future development of lands in the four quadrants at the intersection of Upper Wellington Street and Stone Church Road. The plan has been designed within the framework of the general policies established in Official Plan Amendment No.228, for all the undeveloped areas of the City of Hamilton, as adopted by City Council on March 14, 1967.

The Planning and Development Committee held a public meeting on July 2, 1980 to present the plan and all affected property owners were invited to attend. A further meeting of the Planning and Development Committee was held on May 27, 1981 and on the basis of submissions made by all concerned, including affected property owners, the plan is recommended in the form now presented.

It is intended that this Plan will be implemented in stages by the approval of Zoning By-laws, as and when specific development applications are processed. It is not the intention that the Multi-Centre Plan should be entirely rigid, and necessary changes in the layout of land use will be effected when detailed development plans indicate the need for such change.

11. Approval of the action of the Planning and Development Committee in authorizing the Building Commissioner to issue demolition permits for the demolition of residential buildings as outlined below for which application has been processed through the Building Department and the Planning and Development Committee:-

6 Barons Ave. N.	776 Beach Blvd.	167 Niagara St.
11 Caroline St. N.	1057 Beach Blvd.	16 Locke Street S.

12. City Council, at its meeting held July 31, 1979 passed By-law No.79-222 to DESIGNATE THE BANK OF MONTREAL BUILDING LOCATED AT MUNICIPAL NO.5 MAIN STREET WEST as Property of HISTORIC AND ARCHITECTURAL VALUE AND INTEREST, in accordance with authority provided by the Ontario Heritage Act, 1974.

On August 19, 1980, Roxborough Development Corporation applied to the Building Commissioner for a permit to demolish the former Bank of Montreal Building. The Ontario Heritage Act requires that the City Council respond to an application within ninety (90) days.

By letter dated October 22, 1980, the Local Architectural Conservation Advisory Committee (LACAC) recommended, as provided for in Section 34 of the Ontario Heritage Act, that the application to demolish the building at 5 Main Street West be refused.

At its meeting held November 11, 1980, City Council, on the recommendation of the former Board of Control, adopted the recommendation of LACAC to refuse the application to demolish the building. The Ontario Heritage Act provides that the demolition may not take place for a period of 180 days from the date of Council's decision to refuse the application.

Following the expiration date of the 180-day waiting period, on May 10, 1981, a legal technicality was raised as to the validity of the application filed August 19, 1980 by Roxborough Development Corporation.

At its meeting held June 17, 1981 the Planning and Development Committee considered a second application for a demolition permit which was filed by Mr. Markus Cohen who holds the property In Trust for Roxborough Development Corporation. Mr. Cohen indicated that the second application was filed without prejudice to the previous application.

Pursuant to provisions of the Ontario Heritage Act, 1974, the application was referred to LACAC for comment and recommendation.

On July 22, 1981 the Planning and Development Committee held a public meeting at which time LACAC recommended that the full powers of protection by the Ontario Heritage Act, namely, the 180-day waiting period, be applied to the Bank of Montreal Building.

The Planning and Development Committee feels that the 180-day waiting period has in fact been honoured, and therefore respectfully recommends that pursuant to Section 34 of the Ontario Heritage Act, 1974, a permit be issued to Mr. Markus Cohen, In Trust, to demolish Number 5 Main Street West.

13. Approval of the sale of Lots 8, 9 and 10, Hamilton Mountain Industrial Park No.1 to Fortino's Supermarket Ltd. in the sum of \$125,772.00. A deposit cheque in the amount of \$12,577 is being held by the City Treasurer pending Council approval. This transaction includes special building covenants, agreements and restrictions which are set out below:

6.3 In consideration for the transfer of the hereinbefore described land to the transferee, in addition to payment of the sale price to the transferor, the transferee covenants and agrees to and with the transferor:

- 1) That the transferee shall commence construction of a building, having a minimum building area of 30,000 square feet upon the hereinbefore described land by not later than March 7, 1982. Building area is the greatest horizontal area of a building within the outside surface of the exterior walls. Construction is considered commenced when the foundations have been installed as determined by the Office of the Building Commissioner.
- 2) That the transferee shall complete construction of the said building by not later than March 7, 1983. The building is considered completed upon the issuance by the Office of the Building Commissioner of a Final Inspection Report.
- 3) That no transfer of the hereinbefore described land shall be made by the transferee until The Corporation of the City of Hamilton confirms that covenants 1 and 2 have been complied with.
- 4) In the event that the transferee does not comply with covenants 1 and 2 or either of them by the dates set out therein the transferee covenants and agrees that the transferee shall sell the land to the transferor, free and clear of all charges, encumbrances, liens, claims or adverse interests whatsoever - if requested by the transferor, for the sale price herein (without any interest) - less (a) the deposit; (b) the commission paid (if any) by the transferor to a real estate agent; (c) arrears of realty taxes (including the local improvement charges) penalty and interest owing on them - and further, without increase or compensation for costs of any improvements, additions, alterations, services or structures on, in or under the said lands.
- 5) The said transferor as registered owner and the said transferee hereby apply to request and authorize the Land Registrar to have Notice of the covenants set out above entered on the register of the land being transferred herein to the said transferee.

6.4 The purchaser agrees that the restrictions, covenants and agreements in paragraph 6.3 shall not merge upon the closing of this transaction but shall continue in full force and effect for the benefit of the vendor, its successors and assigns.

6.5 The purchaser agrees that the deed to him which he shall execute shall be subject to and include the restrictions, covenants and agreements in paragraph 6.3.

14. Approval of the sale of Lot 1 in the Hamilton Mountain Industrial Park No.1 to Norgate Holdings Limited in the sum of \$53,975.00. A deposit cheque in the amount of \$5,397.00 is being held by the City Treasurer pending Council approval. This transaction includes special building covenants, agreements and restrictions which are set out below:

6.3 In consideration for the transfer of the hereinbefore described land to the transferee, in addition to payment of the sale price to the transferor, the transferee covenants and agrees to and with the transferor:

- 1) That the transferee shall commence construction of a building, having a minimum building area of 10,000 square feet upon the hereinbefore described land by not later than April 15, 1982. Building area is the greatest horizontal area of a building within the outside surface of the exterior walls. Construction is considered commenced when the foundations have been installed as determined by the Office of the Building Commissioner.
- 2) That the transferee shall complete construction of the said building by not later than April 15, 1983. The building is considered completed upon the issuance by the Office of the Building Commissioner of a Final Inspection Report.
- 3) That no transfer of the hereinbefore described land shall be made by the transferee until The Corporation of the City of Hamilton confirms that covenants 1 and 2 have been complied with.
- 4) In the event that the transferee does not comply with covenants 1 and 2 or either of them by the dates set out therein the transferee covenants and agrees that the transferee shall sell the land to the transferor, free and clear of all charges, encumbrances, liens, claims or adverse interests whatsoever - if requested by the transferor, for the sale price herein (without any interest) - less (a) the deposit; (b) the commission paid (if any) by the transferor to a real estate agent; (c) arrears of realty taxes (including the local improvement charges) penalty and interest owing on them - and further, without increase or compensation for costs of any improvements, additions, alterations, services or structures on, in or under the said lands.
- 5) The said transferor as registered owner and the said transferee hereby apply to request and authorize the Land Registrar to have Notice of the covenants set out above entered on the register of the land being transferred herein to the said transferee.

6.4 The purchaser agrees that the restrictions, covenants and agreements in paragraph 6.3 shall not merge upon the closing of this transaction but shall continue in full force and effect for the benefit of the vendor, its successors and assigns.

6.5 The purchaser agrees that the deed to him which he shall execute shall be subject to and include the restrictions, covenants and agreements in paragraph 6.3.

15. Approval of the sale of a 1' Reserve described as Block "E", Plan M-259 with a frontage of 70.01 feet by a depth of 1.0 foot and containing an area of 70.01 square feet to the owner of the abutting lands, Ingrid Mastrangeli for the purchase price of \$1,226.00. A deposit cheque in the sum of \$126.00 is being held by the Treasury Department.
16. That the Purchasing Department be authorized to initiate a call for bids to install a catch basin at the rear of Lot 23, Hamilton Mountain Industrial Park No.1, with connection to the sewer Hempstead Drive and the cost to be charged to account 0280-02. The Real Estate Department will attempt to recover this cost through the sale price when this lot is sold.
17. Approval of the Agreement by the Owner to Accept Compensation, from Ida Menegon for the purchase by the City for all interests in the property known as Municipal Number 8 Mill Street, more particularly described as part of Lot 15, Block C, Registered Plan No.119, having a frontage along the northerly limit of Mill Street of 28.28 feet, more or less, by a depth of 79 feet, more or less, for the sum of \$30,235.00, required by the City for the proposed Park in Central Neighbourhood. This amount is to be charged to Account No.0405-X90106.
18. (i) That the concept plan for the Redevelopment of Century Street Parkette, at an estimated cost of ten thousand dollars (\$10,000), be implemented pursuant to the provisions of the Neighbourhood Improvement Programme (N.I.P.); and,
 - (ii) That the costs to which reference is made in (i) above, be financed from the appropriate accounts pertaining to the N.I.P. in the Landsdale Redevelopment Area.
19. (i) That the concept plan for the Redevelopment of 'Norman "Pinky" Lewis Recreation Complex': Park Site, dated 1981 May 29, at an estimated cost of three hundred thousand dollars (\$300,000) be implemented pursuant to the provisions of the Neighbourhood Improvement Programme (N.I.P.); and,
 - (ii) That the costs to which reference is made in (i) above, be financed from the appropriate accounts pertaining to the N.I.P. in the Gibson and Landsdale Redevelopment Areas.
20. (i) That the concept plan for the redevelopment of Birge Park, dated 1981 July, at an estimated cost of two hundred thousand dollars (\$200,000) be implemented pursuant to the provisions of the Neighbourhood Improvement Programme (N.I.P.); and,
 - (ii) That the costs to which reference is made in (i) above, be financed from the appropriate accounts pertaining to the N.I.P. in the Landsdale Redevelopment Area.
21. (i) That the concept plan for the redevelopment of Woodlands Park, at an estimated cost of three hundred thousand dollars (\$300,000) be implemented pursuant to the provisions of the Neighbourhood Improvement Programme; and
 - (ii) That the costs to which reference is made in (i) above, be financed

from the appropriate accounts pertaining to the N.I.P. in the Gibson Redevelopment Area.

22. (i) That the former landfill site, situate between the alignments of Highway 403 and the right-of-way of the T.H. & B. and C.P. Railways, within the Kirkendall-Strathcona Redevelopment Area, be redeveloped in accordance with the provisions of the Neighbourhood Improvement Programme and the concept plan, dated 1981 July, at a cost not to exceed two hundred thousand dollars (\$200,000); and
- (ii) That in accordance with the recommendation of the former Board of Control, adopted by City Council at its meeting held October 9, 1979, the costs, to which reference is made in (i) above, be financed from the Reserve-For-Property-Purchases Account, which account will be subsequently credited an equivalent amount from moneys received as a result of the sale of N.I.P.-financed, City-owned lands within the Redevelopment Area.

23. Approval of awarding the following contract:

Varga Wrecking (Hamilton) Ltd.

For demolition of buildings located at
Municipal Numbers 136 Caroline Street
North and Municipal Numbers 37-43
Railway Street (expropriated for
Central Neighbourhood Park)

Seventeen thousand one hundred and eleven dollars . . \$17,111.00

NOTE: Lowest of five (5) tenders

24. That leave be granted to introduce the following Bills:-

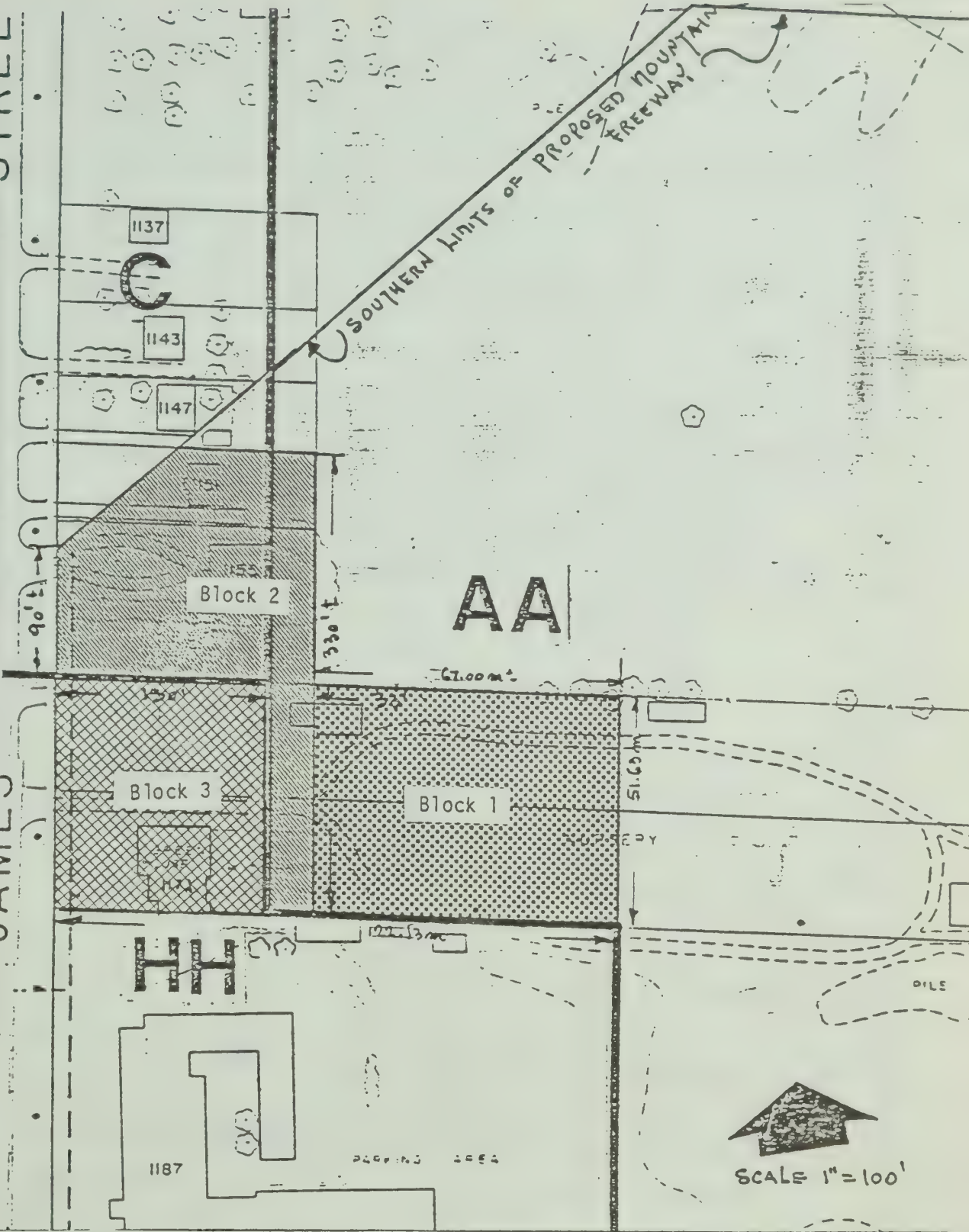
- (a) Bill D-103 - a By-law to authorize Demolition and Clearing of Buildings, Structures, Debris or Refuse at Municipal No.22 Barnesdale Avenue South
- (b) Bill D-104 - a By-law respecting Strengthening, Restoration and Reconstruction of Single Family Dwellings and Two Family Dwellings and Accessory Buildings and Structures
- (c) Bill D-105 - a By-law to Amend Zoning By-law No.75-61, as Amended by By-law No.75-175 respecting land located at Municipal No.211 King Street East
- (d) Bill D-106 - a By-law respecting The Chief Building Official and Inspectors Appointed under The Building Code Act, 1974, Statutes of Ontario, Chapter 74.

Respectfully submitted

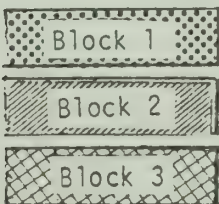
JDT:bg
July 22, 1981

Alderman W. M. McCulloch
Chairman

UPPER JAMES STREET



LEGEND

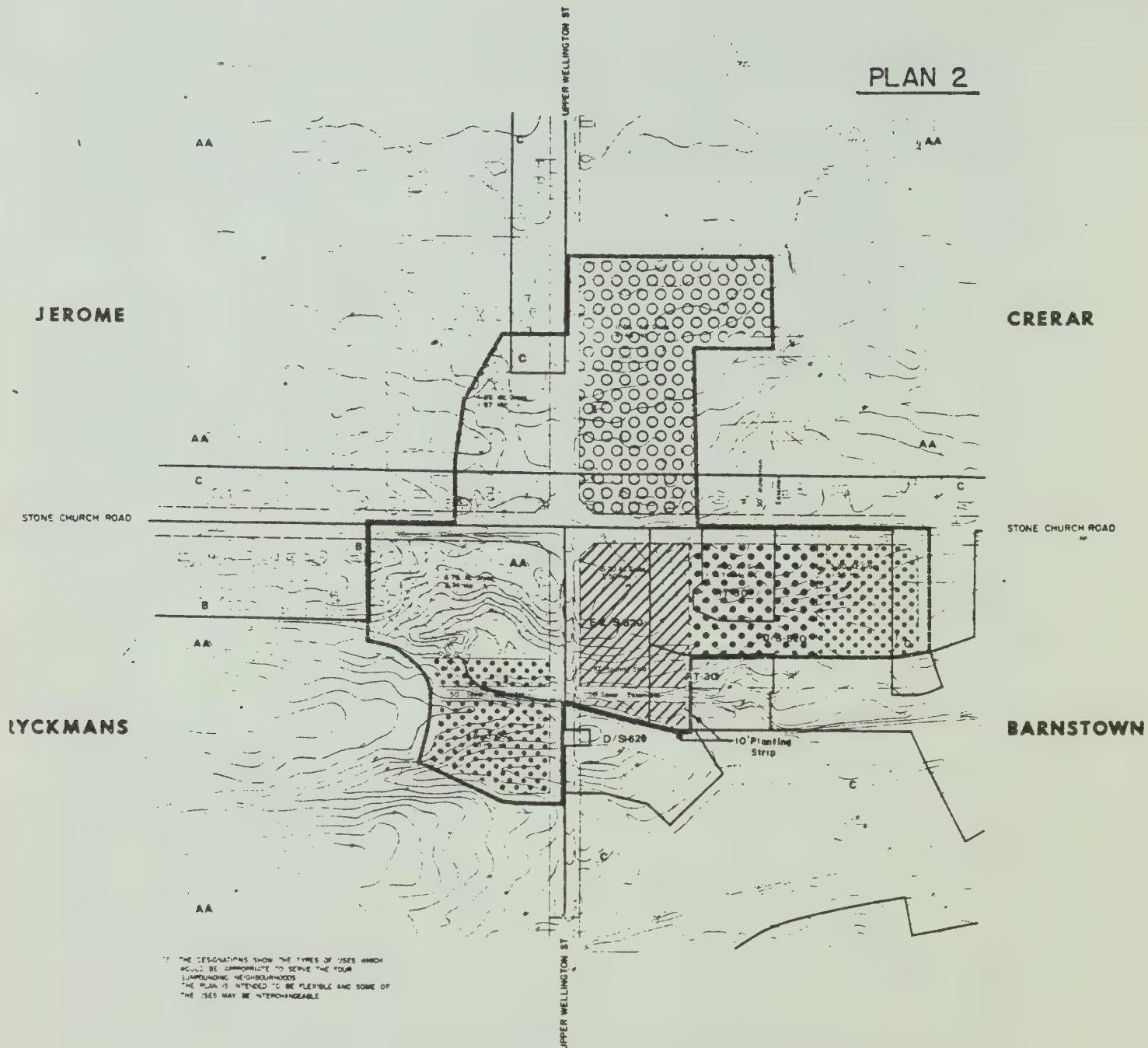


- Block 1 (PHASE 3) Change in zoning from "AA" to "G-3"
- Block 2 (PHASE 2) Lands regulated by By-law No. 79-172
- Block 3 (PHASE 1) Lands already zoned "HH"










APPENDIX "A"

E

PLAN 2

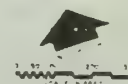


LEGEND

- | | |
|---|--|
|  | RESIDENTIAL : ATTACHED HOUSING |
|  | MEDIUM DENSITY APARTMENTS |
|  | COMMERCIAL |
|  | CIVIC & INSTITUTIONAL |
|  | INSTITUTIONAL & RECREATIONAL |
|  | INSTITUTIONAL & SPECIAL HOUSING |
|  | EXISTING ZONING |
|  | ATTACHED 5 & 6 DETACHED 1-4 OUTLINING SUGG |
|  | MULTICENTRE BOUNDARY |

THE REGIONAL MUNICIPALITY OF HAMILTON - WENTWORTH
PLANNING AND DEVELOPMENT DEPARTMENT
CITY OF HAMILTON

RYCKMANS

MULTICENTRE

2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 2680, 2681, 26

APPENDIX "D"

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its FOURTEENTH Report for 1981 and respectfully recommends:

MISCELLANEOUS

1. (i) That the City Council assume all costs involved, including any judgment which may be awarded, in connection with a legal action which has been taken against Alderman F. Lombardo and Alderman James Bethune, former councillors, James Campbell, John A. MacDonald and former Director of the Visitors' and Convention Bureau, Mr. William Cockman, in the performance of their duties as a result of a Writ issued on behalf of Daniel Kljajevich, carrying on business as Casino Limousines, and that the City Solicitor be authorized and directed to make application to the Provincial Legislature for private legislation authorizing the City to assume the costs.

(ii) That the Legislation Committee be directed to petition the Province for appropriate permissive legislation which would enable City Council to deal with any future actions of this nature brought against City Councillors while in the performance of their duties on behalf of the City.

2. That City Council approve the request of the Bus Shelter Sub-Committee for an additional \$9,750.00 to complete construction of bus shelters for 1981 and further, that the Finance Committee be requested to recommend the method of financing.

REAL ESTATE

3. That the purchase of a parcel of land required for intersection improvements at the south-west corner of King Street East and Rosedale, more particularly known as part of 1882 King Street East and containing 34.675 square feet from the Canadian Imperial Bank of Commerce for the sum of \$1,235.50 be completed and to be charged to Account #0408-301286.

4. That the leasing of 499 Charlton Avenue East to Stuart and Susan Beatty at a monthly rental of \$275.00 (including taxes) commencing July 8, 1981 be approved and that the Mayor and City Clerk be authorized to execute the Tenancy Agreement.

5. That the City give approval, in principle, to the proposed closure, stopping-up and sale of a portion of Napier Street extending from Bay Street to a point in line with the westerly boundary of the lands owned by One Hundred Market Ltd., comprising a lineal distance of 277 feet, more or less. The said lands to be sold thereafter to said One Hundred Market Ltd. for market value.

NOTE: Aforementioned approval will remain subject to the normal processing procedure undertaken by the Regional Engineering Department and the City Solicitor's Department.

SOLICITORS

6. That Messrs. McTaggart, Potts, Stone, Winters & Herridge's account, re: City of Hamilton vs. Hamilton Harbour Commissioners Assessment Appeals, dated June 11, 1981 in the amount of \$2,662.61 be paid.

7. That the Mayor and City Clerk be authorized to execute a garbage collection agreement between The Corporation of the City of Hamilton and Frank Butty Limited and Butty Bros. Builders Limited, jointly, for the collection of garbage at 16-18 Mohawk Road East and 40 Mohawk Road East. This agreement to provide for the City being saved harmless and indemnified from any loss, claims and damages, and that the Companies will be required, at their own expense, to obtain and file with the City Clerk, an insurance policy insuring the City against loss, claims and damages for a sum satisfactory to the City Solicitor.

NOTE: This Agreement provides for refuse collection service off the highway pursuant to Section 4, Subsection (j) of The Garbage By-law No. 66-182.

REGIONAL ENGINEERING

8. That the request from Mr. C. B. Campbell, President, Abbotsford Limited for the City of Hamilton, to expropriate the land in front of lots 91 and 92 in Brigadoon Village be approved, provided:

(i) That the City Solicitor be authorized to expropriate the necessary lands to establish Fiona Crescent to the full 66' width plus 1 foot.

(ii) That all costs associated with the expropriation of these lands be charged to Abbotsford Limited.

(iii) That the Regional Commissioner of Engineering be authorized to complete the construction of the finished roadway and sidewalks on Fiona Crescent once the lands have been acquired and Fiona Crescent has been established by by-law.

(iv) That these construction costs be recoverable from the 1 foot reserve to be placed on the east side of Fiona Crescent.

(v) That the cost of acquisition of the lands and construction costs be charged to Account #0280-12 Services Through Unsubdivided Lands.

9. That the application of Mrs. A. Cardilicchia, owner of 182-184 Ferrie Street East to permit an encroachment on an existing building onto the road allowance of Ferrie Street East by a maximum of 1.05m (3.33') for an approximate distance of 18.8m (59.65 feet), be approved provided:

(i) That the owner enter into an agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;

(ii) That an annual fee of \$10.00 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution, in addition to the \$25.00 annual fee to be charged to the owner for encroachment insurance.

10. That the application of Mrs. F. Standen, owner of 253 Caroline Street South to permit an encroachment of an existing porch onto the road allowance of Caroline Street South by a maximum of 0.81m (2.65 feet) for an approximate distance of 3.17m (10.40 feet) be approved, provided:

(i) That the owner enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

(ii) That an annual fee of \$10. be set for this privilege, which fee shall be due and payable to the Corporation thirty (30) days from the date of this resolution, in addition to the \$25. annual fee to be charged to the owner for encroachment insurance.

11. WHEREAS Council at its meeting of 81 03 31, approved the reconstruction of the roadway, sidewalks and curbs on Tisdale Avenue South from Main Street to Erie Avenue and

WHEREAS a petition signed by a majority of the abutting owners to widen Tisdale Avenue South to a width of 28' from Main Street to the east-west portion of Tisdale Avenue South by eliminating the deficient 2' wide boulevards on each side of the street, has been received by the Transport and Environment Committee,

IT IS THEREFORE recommended that this widening be proceeded with.

12. WHEREAS a request has been received from the Locke Street Business Association to hold a sidewalk sale on Locke Street South on Friday, August 21, 1981 from 9:00 a.m. to 9:00 p.m. and on Saturday, August 22nd, 1981, 9:00 a.m. to 6:00 p.m.,

IT IS THEREFORE recommended that the application be approved provided that

(i) The organizing group save the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

- (ii) The organizing group provide public liability insurance in the amount of \$500,000.
- (iii) Clean-up of the sidewalk will be carried out immediately following the event at the expense of the organizing group.
- (iv) The operation of the sale not interfere with pedestrian traffic along the sidewalk nor at bus stop areas.

13.(i) That an additional amount of \$13,000.00 for the 1981 Slurry Seal Programme be approved and

(ii) That the additional \$13,000.00 be financed from Account No. 0352 0263 (07) (Poulette Street Bridge).

NOTE: The 1981 current budget includes a provision for a Slurry Seal Contract in the amount of \$125,000.00. In 1980 the budget allotment was \$100,000.00 and the contract price was \$0.61 per square metre (142,275 square metres of roadway). The 1981 programme proposes 170,500 square metres of roadway and the tender price is \$0.7492 per square metre. Although the 1981 budgetted amount was 25% over the 1980 budget, it was intended that more streets would be done. The substantial increase (22.8%) in the 1981 tender price over the 1980 price is due to the increase in the cost of petroleum products necessary for the Slurry Seal operation.

14. WHEREAS Prospect Street South from Main Street to King Street is on the 1981 Reconstruction Programme for reconstruction of the roadway and the sidewalks on both sides, and

WHEREAS prior to the actual reconstruction, some minor excavation work was done in the vicinity of the proposed widening and it was determined that some tree roots would be affected by the proposed widening which would result in the serious damaging of nearby mature trees,

IT IS THEREFORE recommended that Council confirm the action of the Commissioner of Engineering in deleting the proposed 0.6m (2') widening on the east side of Prospect Street South from Main Street to King Street.

15. WHEREAS the City is in receipt of an application from the Culture and Recreation Department of the City of Hamilton to close various streets within the boundaries of Tom Street Park, and

WHEREAS Civic Departments have found no objections to this closing,

IT IS THEREFORE recommended that:-

- (i) (A) That the City Solicitor be directed to prepare a By-law for the stopping-up, closing and retention of the following streets:

- (aa) Jones Street - from 154m west of Breadalbane Street to the westerly end,

- (bb) The closing to vehicular traffic only of Tom Street from Breadalbane Street to 40m westerly and for setting apart, pursuant to Section 453(8) of the Municipal Act, this portion of Tom Street for the purpose of a footpath.

Pursuant to Section 443 of the Municipal Act, R.S.O. 1970, the said By-law to close Tom Street to be prepared only following completion of the construction of a footpath on Tom Street.

- (B) That following the preparation of the By-law, the City Clerk be directed to publish a notice pursuant to Section 446 of the Municipal Act R.S.O. 1970 of City Council's intention to pass the proposed By-law.

- (ii) (A) That the City Solicitor be authorized to make an application to a County Court Judge under Section 86 of the Registry Act R.S.O. 1970, for an Order Closing:

- (aa) Tom Street - from 40m west of Breadalbane Street to the westerly end,

- (bb) Lochearne Street - from 65m west of Breadalbane Street to the westerly end,

- (B) That the Regional Commissioner of Engineering be authorized to sign an affidavit setting out that no funds have been expended on those portions of Tom Street and Lochearne Street to be closed.

- (iii) That the City Surveyor be directed to prepare and register a reference plan, to delineate the extent of closure on the said streets,

- (iv) That the Regional Commissioner of Engineering be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval of the proposed closings under Section 51 of Bill 155.

16. WHEREAS the City is in receipt of an application from Mrs. M. Woodward of 47 Rowena Court to temporarily close Rowena Court to hold a street party on Saturday, 81 06 27,

AND WHEREAS this application was received between scheduled Council meetings thereby prompting the Commissioner of Engineering to authorize the event,

IT IS THEREFORE recommended that the action of the Commissioner of Engineering in authorizing the application of Mrs. M. Woodward of 47 Rowena Court to temporarily close Rowena Court be confirmed provided:

- (i) That all signing and barricading will be subject to the direction of the Regional Police Department and at no cost to the City.
 - (ii) That clean-up will be carried out immediately following the re-opening of the City street at no cost to the City;
 - (iii) That a \$500,000. Comprehensive General Liability Insurance Policy naming the City as an added insured party be provided to hold the City harmless from all actions, interests, claims demands, costs, damages, expenses and loss.
17. That the City Solicitor be directed to prepare a By-law to rescind By-law No. 73-163.

NOTE: Clause 2 of the 10th Report of the Committee on Works, approved by Council on 73 05 29 authorized the closing and stopping-up of a portion of Simcoe Street between Ferguson Avenue and Wellington Street under By-law No. 73-163.

At that time it was proposed that improvements be made to the grade of Simcoe Street and a cul-de-sac be constructed at the west side of the crossing and erect a dead-end street barricade at the east side of the crossing. After the mentioned By-law came into force, the City called for proposals for the engineering services for the Perimeter Industrial Road.

Although the By-law was advertised pursuant to The Municipal Act, no representation for or against the street closing was received. Objections from some residents on Simcoe Street to the closing of the crossing to pedestrians were received by the City Engineer's Department subsequent to the passing of the By-law.

The City Engineer submitted a report to the Committee on Works dated 73 10 17 which was tabled at the meeting of 73 10 22. The report recommended that the By-law not be implemented and that the City Engineer be authorized to withdraw the application for closing of Simcoe Street at C.N.R. trackage, which was submitted to the Canadian Transport Commission on 72 07 27. It was also recommended that another report reviewing this matter be prepared upon the completion of the study for the Perimeter Industrial Road.

The City Engineer by letter dated 73 12 14 withdrew the application to the Canadian Transport Commission for the closing of the crossing. By-law 73-163 has not been repealed to date.

18. WHEREAS section (ii) of Item 11 of the First Report of the Traffic and Engineering Committee adopted by City Council on 80 01 29 recommended "that the City Solicitor be authorized and directed to prepare the necessary By-law to establish and lay out the lands shown as Part 2, Plan 62R-1167 as a public highway and to name the highway to the satisfaction of the City and the Region";

AND WHEREAS this was necessary to provide an access road from Highway #20 to the Kenora Transfer Station;

AND WHEREAS this access road has been constructed on the southerly east-west portion of the Part 2 lands only and the remaining portions of the Part 2 lands are not required for roadway purposes;

IT IS THEREFORE recommended that Section (ii) of Item 11 of the First Report of the Traffic and Engineering Committee adopted by City Council on 80 01 29 be rescinded and the following substituted therefor:

"That the City Solicitor be authorized and directed to prepare the necessary By-law to establish and lay out the lands shown as Part 2, Plan 62R-5885 as a public highway and to name the highway Goderich Road."

19. WHEREAS City Council at its meeting held on 73 10 31 adopted a recommendation of the Planning and Development Committee that a Subdivision Agreement be entered into between the City of Hamilton and Augusto Giannattasio Ltd. as owner of Oakland Part Extension No. 3;

AND WHEREAS estimates were provided for a plan of the development consisting of nine single family lots,

IT IS THEREFORE recommended:

- (i) That the submitted schedules for the estimated cost of services be approved for inclusion in the proposed Subdivision Agreement.
- (ii) That the City's share of the cost of development for this subdivision be approved and financed from Account No. 0280-12.

<u>Type of Work</u>	<u>Amount</u>
Preliminary Roads	\$1,745.
Sidewalks & Curbs	\$2,223.
Finished Roads	\$3,198.
TOTAL:	\$7,166.

- (iii) That the approval of the above clause be subject to the condition that work not be commenced until twelve Final Survey Plans and the Subdivision Agreement have both been registered.
- (iv) That in the event the subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enters into a standard agreement for pre-servicing.

CITY ENGINEER

20. That the City Solicitor be directed to proceed with the preparation of a By-law to extend Elmore Drive by incorporating therein Block "AX" Eleanor Gardens (Phase 1) Plan M-199.

NOTE: The retention of this reserve is no longer necessary since the registration of Eleanor Gardens (Phase 3) Plan M-279 has extended Elmore Drive easterly from its former terminus.

21. That the City Solicitor be directed to proceed with the preparation of a By-law to extend Bonaventure Drive by incorporating therein part of Block "N" Westbrook Gardens Stage Two (Phase 1) Plan M-243.

NOTE: The retention of this portion of Block "N" is no longer necessary since the registration of Bonaventure Gardens (Phase 2) Plan M-244 has extended Bonaventure Drive easterly from its former terminus.

22. That the City Solicitor be directed to proceed with the preparation of a By-law to widen and extend Clifton Downs Road by incorporating therein Blocks "L" and "M" and part of Block "N" Westbrook Gardens Stage Two (Phase 1) Plan M-243.

NOTE: The retention of these reserves is no longer necessary since the registration of Gilkson Woods Addition (Phase 1) Plan M-286 has extended Clifton Downs Road southerly from its former terminus. Also the registration of Bonaventure Gardens (Phase 2) Plan M-244 provides for the widening of Clifton Downs Road.

23. That the City Solicitor be directed to proceed with the preparation of a By-law to widen Elmbank Street by incorporating therein part of Block "J" Eleanor Gardens (Phase 3) Plan M-279.

NOTE: The retention of this portion of Block "J" is no longer necessary since the developer of Parts 1, 2 & 3, Plan 62R-5646 on the south side of Elmbank Street has met all the financial conditions related to the cost of services on Elmbank Street.

24. That the City Solicitor be directed to proceed with the preparation of a By-law to widen Eaglewood Drive by incorporating therein Block "G" Mentino Estates (Phase 1) Plan M-219.

NOTE: The retention of Block "G" is no longer necessary due to the establishment of Elmbank Street by the Registration of Eleanor Gardens (Phase 3) Plan M-279 and by the payment⁴ covering services for the development of adjacent lands to the east known as Part 1, Plan 62R-5646.

25. That the City Solicitor be directed to proceed with the preparation of a By-law to widen Lisgar Court by incorporating therein 0.3m strips of lands known as Parts 7 & 10, Plan 62R-4821 and the northerly 36.576m of Part 5, Plan 62R-4821, said By-law to take effect only after the registration of the proposed plan of subdivision known as Summerlea Meadows (Phase 2)..

NOTE: Parts 5, 7 & 10 were retained by the City when Lisgar Court was established in 1979. The abutting lands have now been developed by plans of subdivision and Treasury Department has advised that all outstanding charges have been paid.

26. That the City Solicitor be directed to proceed with the preparation of a By-law to widen Summerlea Drive by incorporating therein two 0.3m strips of land known as Parts 3 & 4, Plan 62R-4821, said By-law to take effect only after the registration of the proposed plan of subdivision known as Summerlea Meadows (Phase 2)

NOTE: Parts 3 & 4 were retained by the City when Summerlea Drive was established by By-law in 1979. The abutting lands are being developed under plans of subdivision, and Treasury Department has advised that all outstanding charges have been paid.

PURCHASING

27. That the recommendations of the Director of Purchases respecting the following, be approved:-

- (i) Frink Canada, Cambridge, Ontario - For the supply and installation of two (2) Reversible Underbody Snow Plows, in accordance with specifications issued by the Director of Purchases and Vendor's Tender for the total sum of\$12,111.24
All charges included.

Note: Only tender received

- (ii) Elston Industries Ltd., Toronto, Ontario - For the supply and installation of two (2) Snow Plows and Wing Attachments, in accordance with specifications issued by the Director of Purchases and Vendor's Tender for the total sum of ..\$21,091.30
All charges included.

Note: Lower of 2 tenders

- (iii) Allied Construction Equipment Inc., Oakville, Ontario - For the supply and delivery of two (2) Allied Model 33 Rapid Ram Concrete Breaking Hammers, in accordance with specifications issued by the Director of Purchases and Vendor's Tender for the sum of\$15,022.80
All charges included.

Note: Lowest of 3 acceptable tenders

TRAFFIC

28. That Schedule 10 (Stops at Intersections) of By-law 66-100 To Regulate Traffic be further amended by deleting therefrom the following items, namely:-

"Hunter	Eastbound and Westbound	East
Kent	Northbound and Southbound	Stanley".

and by adding thereto the following items, namely:-

"East	Northbound and Southbound	Hunter
Stanley	Westbound	Kent
Hunter	Eastbound	Emerald".

29. That Schedule 17 (No Right Turn at Certain Intersections) be amended by adding thereto the following item, namely:-

"Barton	Westerly	Locke	4:00 p.m. - 6:00 p.m.
			Monday to Friday".

30. That Schedule 25A (Parking Time Limits) be amended by adding to Section 5 (One Hour Limit 8:00 a.m. - 6:00 p.m., Monday to Friday) the following item, namely:-

"Canada	North	Poulette to 51 feet east".
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31. That Schedule 26 (No Parking Areas) be amended:-

- (i) by adding to Section A (No Parking Anytime) the following items namely:-

"Mountain Park	North	Poplar to 40 feet west
Dunsmure	South	Tuxedo to 75 feet west
Ruth	East	Barton to 55 feet north
Barlake	North	80 feet east of Violet to 29 feet easterly
Columbia	East	Laurier to Stacey
Laurier	South and West	Columbia to Stacey
Stacey	North	Columbia to Laurier
Tisdale	East	King to King William".

- (11) by deleting from Section B (Loading Zones) the following items, namely:-

"Market	South	45 feet	30 feet west of Hess	Anytime
Mary	West	40 feet	279 feet south of Barton	
Barlake	North	29 feet	80 feet east of Violet."	

and by adding thereto the following item, namely:-

"Market	South	19 feet	30 feet west of Hess	Anytime"
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- (111) by adding to Section C (No Parking 7:00 a.m. - 6:00 p.m.) the following item, namely:-

"Mary	West	253 feet south of Barton to 69 feet southerly".
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32. That Schedule 27 (Alternate Side Parking) be amended by deleting therefrom the following item, namely:-

"Tisdale			
King to Cannon	East	West".	

and by adding thereto the following item, namely:-

"Tisdale			
King William to Cannon	East	West".	

33. That Schedule 29 (No Stopping Areas) be amended by deleting from Section A (No Stopping Anytime) the following item, namely:-

"Poplar	East	Mountain Park to 50 feet south".
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and by adding thereto the following item, namely:-

"Poplar	East	Mountain Park to 90 feet south".
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34. That Schedule 30 (Commercial Loading Zones) be amended by deleting therefrom the following item, namely:-

"Brucedale	North	38 feet	50 feet east	Anytime".
			of Upper Wellington	

35. That City Council authorize the Traffic Department to poll the residents of Mary Street between Barton Street and Murray Street, to determine whether or not they wish to have time limit parking on their street.

36. That the application of Cecil and Dorothy Decker to lease a portion of the boulevard of Catharine Street, adjacent to No. 99 Cannon Street East for parking purposes be approved during the pleasure of City Council provided:-

- (i) That the owner complies with the requirements as set out in the policy respecting using a portion of the road allowance for parking purposes.
- (ii) That the approach and parking area be constructed in accordance with the submitted plan at the owner's expense.
- (iii) That the owner prepares and executes an agreement, satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
- (iv) That the applicant pay the annual fee as established by City Council plus taxes, in addition to the \$25.00 annual fee to be charged to the applicant for encroachment insurance.

37. That the City Solicitor be directed, by the City Council, to amend Traffic By-law No. 66-100, such that a motor vehicle may be parked on the boulevard of a public highway and within a driveway, provided that it does not interfere with access to a driveway to an adjacent property.

38. That commencing September, 1981, a Police Officer be assigned to the intersection of Upper Sherman Avenue and Berko Avenue, until such time as a study can be conducted, by the Hamilton-Wentworth Regional Police Department, to determine whether or not a School Traffic Officer is warranted at this location on a full-time basis.

BY-LAWS

39. That leave be granted to introduce the following bills:

- (a) Bill No. E63 - By-law to sell a portion of the Stopped-up Road Allowance (Limeridge Road) between Concessions 6 & 7 formerly Barton Township, now in the City of Hamilton.
- (b) Bill No. E64 - By-law to close and sell a portion of Wallace Avenue, Beach Road to McAnulty Boulevard.
- (c) Bill No. E65 - By-law to close and sell a portion of Hampton Avenue, from Beach Road to McAnulty Boulevard.

- (d) Bill No. E66 - By-law to close and sell a portion of McAnulty Boulevard from Ottawa Street to East of Hampton Avenue.
- (e) Bill No. E67 - By-law to widen Lisgar Court.
- (f) Bill No. E68 - By-law to widen Summerlea Drive.
- (g) Bill No. E69 - By-law to amend By-law 66-100 to Regulate Traffic
- (h) Bill No. E70 - By-law to amend By-law 66-100 to Regulate Traffic

Respectfully submitted,

ALDERMAN F. LOMBARDO, CHAIRMAN

R. C. Prowse
Secretary

July 20, 1981

REPORT OF THE PERSONNEL COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Personnel Committee presents its ELEVENTH Report for 1981 and respectfully recommends:

1. Approval of the establishment and filling of the position of Senior Buyer - Purchasing Department, Salary Schedule 113, \$20,150.52 to \$23,936.64 per annum. This position was provided for in the 1981 Purchasing Department budget estimates.
2. That the General Tender for construction of the new Fire Station #6, (Woodlands Park), submitted by Demik Construction Limited, 1250 Stone Church Road East, Hamilton, Ontario, be accepted and that the General Construction Contract for the Fire Station #6, be awarded to the above Firm for the Tender amount of \$1,079,700.00
(The second-lowest of the five Tenders received).

It is further recommended that the Finance Committee be requested to provide the required additional financing for the new Fire Station #6, (Woodlands Park), in the amount of ... \$80,000.00 bringing the total revised project appropriation to \$1,210,000.00.

3. City Council, at its meeting held May 26, 1981, in adopting Section 7 of the Thirteenth Report of the Finance Committee and Section 3 of the Eighth Report of the Personnel Committee approved the construction of a new Fire Station on the east mountain at Birchmount Road and Stonechurch Road East. It is now recommended that Mr. V. Pala be appointed as Architect for the construction of this new Fire Station subject to the approval of the Ontario Municipal Board.
4. That the authorized staff quota of the Fire Prevention Bureau be increased by the addition of four Fire Inspectors, one Fire Safety Officer and one Stenographer IV. The estimated cost for this additional staff is \$22,450.00 from October 1, 1981 to the end of the year. It is further recommended that the Finance Committee be requested to provide the necessary funding for this expenditure.

NOTE: For the information of the Members of Council, the additional staff as requested above is necessary due to the adoption recently by City Council of a number of by-laws requiring the Fire Prevention Bureau to substantially increase the Fire Prevention inspections.

5. Approval of the attached Memorandum of Agreement dated July 23, 1981 between the Corporation of the City of Hamilton and the Canadian Union of Public Employees - Local 1041.
6. Approval of the attached Collective Agreement between the Hand Association of Sewer, Watermain and Road Contractors and the Labourers' International Union of North America Local 837.

RESPECTFULLY SUBMITTED,

ALDERMAN P. DRAGE,
CHAIRMAN
PERSONNEL COMMITTEE

G. W. McMillan,
Secretary
July 21, 1981

Refer to Section 5 of the Eleventh Report of the Personnel Committee.

This Memorandum of Agreement made this 23rd day of July, 1981

BETWEEN THE NEGOTIATING COMMITTEES OF:

THE CORPORATION OF THE CITY OF HAMILTON

- and -

**THE CANADIAN UNION OF PUBLIC EMPLOYEES - LOCAL 1041
(Hamilton Civic Foremen's Union)**

- I The parties herein agree to the terms of the Memorandum as constituting full settlement of all matters at issue between the parties.
- II The undersigned representatives of the parties agree to recommend unanimously acceptance of all the terms of this Memorandum to their respective principals.
- III The parties herein agree that the term of the Collective Agreement shall be February 1, 1981 to January 31, 1983.
- IV The parties herein agree that the said Collective Agreement shall include the terms of the Collective Agreement covering the period from February 1, 1980 to January 31, 1981, dated May 5, 1980, together with the following amendments and provisions.
- V The Collective Agreement shall be amended in accordance with the following and such amendments shall become effective upon ratification by both parties whose proper officers have appended their signatures hereto, save and except where this Memorandum of Agreement specifically provides otherwise.

The following are the amendments referred to in Item V above:

(1) Article 5 - Annual Vacation

- (a) Amend article to make provision for the following amendments:

- 18 years of service - 5 weeks
- 22 years of service - 5 weeks and 1 day thereafter
- 23 years of service - 5 weeks and 2 days thereafter
- 24 years of service - 5 weeks and 3 days thereafter
- 26 years of service - 5 weeks and 4 days thereafter
- 27 years of service - 6 weeks

- (b) Amend Article 5.2 by inserting after the words "shift premium", the words "weekend premium"

(2) Article 8 - Sick Leave, Pension and Group Medical
and Hospitalization Plans

- 8.1 (i) (b) Employees are entitled to provisions of the Short Term Income Protection Plan as attached hereto. The provisions of By-law 7530 entitled "A By-law to Establish Cumulative Sick Leave Allowances" shall continue in full until such time that the Short Term Income Protection Plan is implemented and concurrent with the implementation of that Plan, the Cumulative Sick Leave Allowances Plan shall be as modified by the Short Term Income Protection Plan.

The Employer shall introduce and pay the full cost of the premiums of a Long Term Income Protection Plan which shall be subject to tender and implementation in accordance with the terms of the Long Term Plan attached hereto.

The acceptance of the provisions of the foregoing Income Protection Plan by the parties is based upon the understanding that no point or points in the foregoing shall form the subject of negotiations for a period of two (2) years from the date of implementation of this Plan.

- 8.5 Amend clause by deleting the words "1980 Ontario Dental Association rates to apply throughout the life of this Collective Agreement", and inserting the words "1981 Ontario Dental Association Schedule in 1981, and 1982 Ontario Dental Association Schedule in 1982, when available."

(3) Article 11 - Grievance Procedure

- 11.1 Within the terms of this Agreement a grievance shall be defined as a difference between the parties arising from the interpretation, application, administration or alleged violation of this Agreement.
- 11.2 The employee and the department steward, if the employee so chooses, shall within ten (10) working days of the origin of the grievance, submit the grievance in writing to the employee's Supervisor.
- 11.3 Failing settlement within three (3) working days following the date of submission, or within such longer period as may be mutually agreed upon by the employee and Supervisor, the Chairman of the Grievance Committee, within three (3) working days of receipt of the decision of the Supervisor, will present the grievance in writing to

the Head of the Department concerned, who will confer with the Grievance Committee within seven (7) working days in an endeavour to reach a satisfactory settlement, and within three (3) working days, will report in writing to the Chairman of the Grievance Committee following the meeting noted above.

11.4 Failing a satisfactory settlement pursuant to Article 11.3, the Chairman of the Grievance Committee shall, within five (5) days following receipt of the decision of the Head of the Department, present the grievance in writing to the Personnel Director for the consideration of the Chief Administrative Officer in conjunction with the Personnel Director in an effort to bring about a prompt and satisfactory settlement at a meeting within ten (10) working days following presentation of the Grievance. At such meeting, the Grievance Committee may be accompanied by authorized representatives of the Union. The Personnel Director shall report in writing within ten (10) days of the said meeting to the Union. In the event the Personnel Director denies the grievance, he shall state the reasons in writing.

11.5 Where the dispute involves

- (a) the question of general application of or interpretation of the provisions of this agreement, or
- (b) a group of employees, or
- (c) the dismissal of any employee or group of employees,

the grievance may be submitted by the Chairman of the Grievance Committee and the first step of the Grievance Procedure is to be omitted.

11.6 Where no satisfactory settlement of the matter in dispute is reached within twenty-one (21) days, or such longer period as may be mutually agreed upon, of presentation of the request to the Personnel Director and Chief Administrative Officer under Section 4 of this Article and the said matter in dispute is to be referred to Arbitration under the provisions of Article 12.

11.7 Meetings with the Director of Personnel and/or authorized officials of the Employer, in reference to grievances, shall be held during the regular scheduled working hours at the prevailing rate of pay.

(4) Article 20 - Shift Differential

- (i)
 - 20.3 Amend Clause by deleting the words "Thirty-three cents (33¢)", and inserting the words "Thirty-five cents (35¢)", effective from the date of ratification.
 - 20.4 Amend clause by deleting the words "Thirty-three cents (33¢)", and inserting the words "Thirty-five cents (35¢)", effective from the date of ratification.
- (ii) Add the following as a New Clause - to be numbered 20.5 (and renumbering the present 20.5, 20.6, and 20.7 to 20.6, 20.7, and 20.8 respectively);
 - "20.5 Weekend premium to be effective from date of ratification in the amount of ten (10) cents per hour on any regularly scheduled shift between midnight Friday and midnight Sunday. Effective February 1st, 1982, this premium shall be increased by fifteen (15) cents per hour for any regularly scheduled shift between midnight Friday and midnight Sunday. Weekend premium will be paid in addition to shift premium but will not be paid for over-time hours."

(5) Article 21 - Clothing

Add new Clause to be numbered 21.3;

"That Blazer and Dress Pants will be supplied to Unit Supervisors in place of their present clothing. The style, and colour of these garments to be mutually agreed upon by the Director of Culture and Recreation and the Unit Supervisors.

(6) Article 26 - Duration of Agreement

Amend Article to reflect the term of the new Agreement as being February 1, 1981 to January 31, 1983.

(7) Schedule "A"

- (a) Amend Schedule "A", on February 1st, 1981, by a general increase of 11% and,
- (b) Amend that Schedule on February 1st, 1982, by a general increase of 10.5%.

ENTERED INTO THIS 23rd DAY OF July, 1981, ON BEHALF OF:

FOR: THE CORPORATION OF THE
CITY OF HAMILTON

FOR: THE CANADIAN UNION OF PUBLIC
EMPLOYEES, LOCAL 1041
(Hamilton Civic Foremen's
Union)

William Powell

Mayor.

John A. Hamilton
City Clerk.

Joseph Buzit
Conner

THE REGIONAL MUNICIPALITY OF HAMILTON - WENTWORTH

and

THE CITY OF HAMILTON

INCOME PROTECTION PLAN

This Plan is comprised of two parts -

Part "A" - Short Term Income Protection Plan

Part "B" - Long Term Income Protection Plan

NOTE: This is a Plan description and final details of the Long Term Income Protection Plan will be subject to acceptability of the Insurance Company.

The Employers will be responsible respectively only for the arranging of a contract to provide benefits, but the final terms of the Plan will be found in the Master Contract as the governing document.

The Plan will become effective following successful tendering procedures of the Employers.

Feb. 10, 1981

F.8

INTRODUCTION

The following Plan is designed to provide the employee with an income if he cannot perform his normal duties due to illness or injury during both short and long term disabilities. This Plan will replace the existing Cumulative Sick Leave Allowances Program and is not intended to duplicate or replace any Workmen's Compensation Benefits. Provision is included under the S.T.I.P.P. to "top up" awards from the Workmen's Compensation Board from an employee's cumulative sick leave plan credits to 100% of earnings. An employee will be paid while he is disabled until the earlier of:

- (a) the employee returns to work; or
- (b) the employee retires, either at the normal retirement age or opts to retire early; or
- (c) the employee exhausts his entitlements under either of the plans; or
- (d) the employee dies.

DEFINITIONS

Employee

An employee is one who has completed his probationary period prior to the implementation of the Income Protection Plan (I.P.P.).

Employee - New

A new employee is one who has not completed his probationary period of 60 working days.

Short Term Disability

This is defined as a period of disability resulting from illness or injury as determined by a qualified medical practitioner which prevents an employee from attending his regular work and which extends for a period of not more than twenty-six (26) weeks

A medical certificate will be required for each period of absence lasting three or more days and as requested by the Employer.

Long Term Disability

This is defined as a period of disability resulting from illness or injury as determined by a qualified medical practitioner which prevents an employee from attending work and which extends for a period of more than twenty-six (26) weeks.

Pay

F.9

For purposes of this Plan, a week's pay for hourly paid employees shall be the basic hours worked per week multiplied by the applicable standard rate per hour per person

COMMENCEMENT OF I.P.P.

This Plan is to commence from a date, mutually agreed upon as the implementation date, and will cover the following three categories of employees as follows:

- (a) an employee (other than a new employee) shall commence coverage on the implementation date of the Plan, and
- (b) a new employee shall commence coverage under the Plan on the first working day following completion of his probationary period, and
- (c) an employee who is not present at work on becoming eligible, will commence coverage following his return to work. Not being present at work is defined as being on sick leave under the Cumulative Sick Leave Allowances Plan or group disability plan, or on leave of absence without pay, or on lay-off.

SENIORITY SERVICE

Service for all employees, for the purpose of the Plan, shall mean completed years of service with the Employer as of January 1st in any year, and shall commence from the date of their employment with the Employer and shall be based on full years of service in any year.

PART A

SHORT TERM INCOME PROTECTION PLAN

Short term coverage will apply to disabilities lasting up to twenty-six (26) weeks and pay will be continued in accordance with the following schedule:

<u>Seniority Service</u>	<u>Amount Payable</u>	
	<u>100% of Pay</u>	<u>70% of</u>
From the date of eligibility to December 31st	- -	15 week
1st full year of service as at January 1st	2 weeks	plus 24 week
2nd full year of service as at January 1st	3 weeks	plus 23 week
3rd full year of service as at January 1st	4 weeks	plus 22 week
4th full year of service as at January 1st	5 weeks	plus 21 week
5th full year of service as at January 1st	6 weeks	plus 20 week
etc. through to the 25th year as at January 1st	26 weeks	plus 0 week

Payments from the previous-noted schedule will be made on the following basis with the provision that any absence of more than one-half (1/2) day due to illness will constitute an occasion:

- (a) from the first day of absence for the first four occasions of absence in a calendar year, and
- (b) from the second day of the fifth absence in the calendar year, and
- (c) from the third day of the sixth absence in the calendar year, and
- (d) from the fourth day of the seventh and subsequent absences in a calendar year.

Sick leave days left standing to an employee's credit upon implementation of the Income Protection Plan may be used to replace the unpaid days as provided for in (b), (c), and (d) above.

When an employee can demonstrate to the Employer that he can only attend his physician as part of a regular treatment during the day, the absence shall not constitute an occasion for purposes of this Plan.

Payments will be made for a maximum of twenty-six (26) weeks during any one continuous period of disability. Successive absences due to the same or a related cause will be considered as one continuous period of disability unless separated by return to active employment for a period of three (3) months. A disability due to a different cause will be considered a new period after a return to active employment for one month.

A medical certificate will be required for each period of absence lasting three or more working days and as requested by the Employer.

No benefits will be payable during a period of pregnancy leave of absence to which an employee is entitled under the Employment Standards Act, or during any such longer period of pregnancy leave for which the employee has applied and been approved by the Employer.

Short term disability payments will be offset by any disability benefits payable to the employee from the Canada Pension Plan.

An employee who is engaged in outside employment apart from his employment with the Corporation is not entitled to any benefits under the provisions of the short term income protection plan for any occupational injury or sickness sustained during such periods of outside employment.

The Employer will continue to pay fringe benefits costs including Dental, O.H.I.P.; Extended Medical benefits, Life Insurance, etc., and any other applicable benefits negotiated for a period not longer than thirty (30) consecutive months. Where required, payroll deductions for pension purposes will continue to be made from disability pay.

PART. B

ELIGIBILITY

All seniority employees who are members of the Outside Workers bargaining unit who have not attained age 65.

EFFECTIVE DATE OF BENEFITS

Your coverage will become effective on your date of eligibility, provided you are actively at work on a full-time basis. If you are not actively at work on the date insurance would normally commence, coverage will begin on your return to work full-time for full pay.

LONG TERM DISABILITY BENEFIT

The Long Term Disability insurance provides income security should you become totally disabled prior to age 65 due to a sickness or injury which totally disables you over a long period of time. The Plan provides you with coverage on and off the job.

MONTHLY BENEFIT

Your monthly benefit is equal to 60% of your normal monthly earnings which are defined as your base rate X hours per week and excludes overtime pay. This amount is reduced by an income payable to you as a result of your disability from any of the following sources:

1. Sick Pay from the Region or City as the case may be
2. Any other group insurance disability benefits arranged through the Employer or any professional association
3. Retirement benefits from the Region or City as the case may be, or a governmental plan
4. Governmental disability benefits
5. Workmen's Compensation benefits
6. Canada or Quebec Pension Plan benefits (excluding benefits for dependents and automatic adjustment due to Cost of Living Index while receiving benefit).

If you are receiving other disability income, the monthly benefit under this Plan will be reduced so that disability income you receive from all sources does not exceed 80% of your regular monthly earnings at the time you became disabled.

COMMENCEMENT OF BENEFITS

The benefits commence six (6) months from the date that disability began, which shall include the period of payment under the terms of the short term income protection plan. Proof of disability must be submitted within six (6) months following the Qualifying Period.

BENEFIT PERIOD

Following the Qualifying Period you will receive a monthly income until the earlier of:

1. Attainment of age 65
2. Cessation of total disability
3. Attainment of date of retirement
4. Death

DEFINITION OF TOTAL DISABILITY

Total disability means that you are unable, because of sickness or accident, to perform the duties of your regular occupation. This definition applies for the first twenty-four (24) months of payments. After this time, the inability to perform any occupation for which you are reasonably fitted by training, education or experience will constitute total disability .

It is not required that you be confined to home, but you must be under the regular care of a physician.

RECURRENT DISABILITIES

A recurrence of total disability due to the same or related causes will be treated as the same disability unless the member returned to work full time for more than:

- 1 month if satisfying the qualifying period, or
- 6 months if receiving the disability benefits.

REHABILITATIVE EMPLOYMENT

If during the first twenty-four (24) months of payments you are able to engage in some work and earn some income, the Plan will continue to pay you a reduced basis. The benefit amount will be reduced by 50% of the wages or earnings which you receive from such employment during this twenty-four (24) month period.

Your income from all sources during this period of rehabilitative employment must not exceed 90% of your basic wages from your normal occupation immediately prior to your total disability.

WAIVER OF PREMIUM

Premiums falling due within a period when benefits are payable are waived.

TERMINATION OF EMPLOYMENT

Your Long Term Disability benefit terminates when you terminate your employment. If you are disabled at the time of termination you may still be eligible for Long Term Disability benefits in accordance with the provisions of the Plan.

EXCEPTIONS AND LIMITATIONS

Benefits are not payable for the following:

1. A disability where you are not under continuing medical supervision and treatment.
2. A disability caused by intentionally self-inflicted injuries or illness while sane or self-inflicted injuries or illness while insane.
3. A disability resulting from insurrection, war, service in the armed forces of any country, or participation in a riot.
4. Pregnancy related disabilities during any period you are on pregnancy leave of absence to which you are entitled under applicable Provincial statutes or mutually agreed to by you and the Region or City as the case may be.
5. Alcoholism, drug addiction or any mental condition connected therewith, unless the insured person is under active treatment in, or certified as being actively supervised by a rehabilitation centre or Provincially designated institution.
6. If your disability is due to a nervous, mental, psychological or emotional disorder, payments will not be made unless you are under the care of a registered specialist in psychiatry, or a doctor approved by a registered specialist in psychiatry.

COST OF THE PLAN

The premiums will be paid in full by the Region, or City as the case may be.

TAXABILITY OF BENEFITS

Because the premiums are paid by the Region or City as the case may be, all benefit payments from the Plan during a period of disability are considered as taxable income.

CLAIMS

To make a Long Term Disability claim, obtain a claim form from the Personnel Department, have your doctor complete the form and return it to the Personnel Department.

In order to be eligible for payment, claims must be submitted no later than six (6) months following the Qualifying Period.

NOTES RE: SICK LEAVE CREDITS

Sick leave credits presently accrued to existing permanent employees shall be frozen as of the end of the month prior to the implementation of the I.P.P. and no further credits will be granted. The term "frozen" shall mean the number of days standing to the employee's credit as of the date of the commencement of the Plan. The value will be that in effect on the date utilized.

The terms of the existing Cumulative Sick Leave Allowances Plan shall remain in effect, except as modified by this Plan.

An employee may use any or all of his sick leave credits at current value to supplement benefits of the Short Term I.P.P..

An employee may elect to supplement a Workmen's Compensation Board award up to 100% of regular earnings.

The number of credits to be deducted from the Cumulative Sick Leave Allowances balance shall be pro-rated equal to the ratio of supplementary payments to regular earnings.

NOTES RE: INCOME PROTECTION PLAN

The acceptance of the provisions of the foregoing Income Protection Plan by the parties is based upon the understanding that no point or points in the foregoing shall form the subject of negotiations for a period of two (2) years from the date of implementation of this Plan.

RECEIVED

Refer to Section 6 of the Eleventh Report
of the Personnel Committee.

JUN 18 1981

PERSONNEL DEPT.

COLLECTIVE AGREEMENT

BETWEEN

THE HAND ASSOCIATION OF SEWER,
WATERMAIN AND ROAD CONTRACTORS
(hereinafter called "The Employer")
of the first part

and

LABOURERS' INTERNATIONAL UNION OF NORTH AMERICA
LOCAL 837, HAMILTON, ONTARIO
(hereinafter called the "Union")
of the Second part.

This Agreement made and entered into on the _____ day
of _____ 19 _____

RECEIVED

I N D E X

JUN 18 1981

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ARTICLE 1 GENERAL PURPOSE

- 1.01 It is the intent and purpose of this Agreement to assure sound and mutually beneficial relationships between the parties hereto, to provide an orderly and peaceful means of resolving any misunderstanding or grievance without any work stoppage and to set forth herein the basic and full agreement between the parties covering rates of pay, wages, hours of work and other conditions of employment for all construction labourers in the employ of the Employer engaged in road building, parking lot construction, paving, sewer and watermain construction, tunnel work and heavy construction.

ARTICLE 2 GEOGRAPHIC AREA

- 2.01 This Agreement shall be effective in Area 26 as described by the Ontario Labour Relations Board plus the Township of North and South Grimsby in the county of Lincoln and plus that portion of Halton County west of Hwy 25 extended in a straight line to Lake Ontario.

ARTICLE 3 RECOGNITION AND UNION SECURITY

- 3.01 The Employer recognizes the Labourers' International Union of North America, Local 837 as the sole and exclusive bargaining agent for all employees coming within the jurisdiction of this Agreement, while working on all construction projects as defined by Article 1 of this Agreement save and except non-working foreman and persons above the rank of non-working foreman, office and clerical staff, shop and yard employees engineering staff and security guards.
- 3.02 The Employer agrees to employ only members of the Union in good standing during the term of this Agreement, the Union agrees to give preference to the Employer in supplying men.
- 3.03 It is understood that in the event that the Union cannot supply Labourers in sufficient numbers, Labourers may be hired from any source, who shall become members of the Union within 15 working days from the Initial date of employment.

- 3.04 The Employer agrees to deduct from the employees last pay cheque of each month, the Initiation fee and regular monthly dues of the Union and remit such monies as deducted to the Secretary-Treasurer of the Labourers' Union, Local 837, not later than the 15th day of the month following the date upon which such Union Initiation Fees and Dues were deducted for employees covered by this Agreement.
- 3.05 The Union shall supply the Employer with applications for Union Membership and dues deduction authorization forms, which will be presented to all new employees on the day the new employee is hired. All completed copies of the application for Union Membership form will be returned to the Union and will serve as notification of commencement of employment. Upon termination of employment of any employee, the dues deduction authorization form shall be returned to the Union within four working days.
- 3.06 It is agreed and understood that work covered by this agreement shall be sublet only to those sub-contractors who employ members of the Labourers' International Union of North America.

ARTICLE 4 STEWARDS AND BUSINESS REPRESENTATIVES

- 4.01 The Business Representative of the Union shall have access during working hours to all areas of the Employer's Operation covered by this Agreement after first advising the superintendent or such other management's person who may be in charge of the job, subject to the owner's visitors regulations.
- 4.02 The Business Representative shall not interfere with the progress of the work.
- 4.03 A steward or Stewards may be appointed on any job at the discretion of the Business Representative or elected by votes of the members of the Union employed on the job, all things being equal, the Union Steward shall be one of the last two men retained on the project provided he is qualified to do the work available.
- 4.04 The Steward's duties shall be to facilitate a settlement of minor grievances which may occur and other duties applicable to his office. No discriminations shall be shown toward him by the Employer because of the performance of his duties.

ARTICLE 5 MANAGEMENT RIGHTS

- 5.01 The Union Agrees that it is the exclusive function of the Employer:
- (a) to conduct its business in all respects in accordance with its commitments and responsibilities, including the right to manage the jobs, locate, extend, curtail or cease operations, to determine the number of men required at any or all operations, to determine the kinds and locations of equipment to be used and the schedules of production, to judge the qualifications of the employees and to maintain order, discipline and efficiency.
- 5.01 (b) To hire, discharge, classify, transfer, promote, demote, lay-off, suspend or otherwise discipline employees, provided that a claim by an employee that has been discharged without reasonable cause shall be subject to the provisions of the Grievance Procedure.
- 5.01 (c) To make, alter from time to time , and enforce, reasonable rules of conduct and procedure to be observed by the employees, It is agreed that these functions shall not be exercised in a manner inconsistent with the express provisions of this Agreement.

ARTICLE 6 GRIEVANCES AND ARBITRATION

- 6.01 Where a difference arises between the parties hereto, or members of the parties hereto, or between any of the parties hereto and any persons upon whom this Agreement is binding relating to the interpretation, application or administration of this Agreement, including any questions as to whether the matter is arbitrable or where an allegation is made that this Agreement has been violated, the matter shall be adjusted as follows:
- 6.02 The aggrieved employee, or his Shop Steward, or his Union Representative shall negotiate with the job supervisor or the Employers top management in an attempt to settle the matter amicably.
- 6.03 In the event that the matter cannot be settled within a period of five (5) working days or within such further period of time as may be agreed upon between the said Business Agent and the Employer, then the matter shall be referred to and settled by arbitration in accordance with provisions of the Ontario Labour Relations Act.

ARTICLE 7 NO STRIKE - NO LOCKOUT

- 7.01 Both parties agree that there shall be no Lock-Out by the Employers or Strike, Sitdown, Slowdown, Work Stoppage, or Suspension of work by the Union. The word Strike and Lock-Out in this Agreement shall mean Strike and Lock-out as defined in the Ontario Labour Relations Act.

ARTICLE 8 HOURS OF WORK AND OVERTIME CONDITIONS

- 8.01 The standard hours of work for employees covered by this agreement on road and Parking Lot Construction, Paving, Sewer and Watermains, from date of signing to December 31, 1982 shall be Fifty (50) hours per week being Ten (10) hours per day, Monday to Friday inclusive between the hours of 7:00 A.M. to 6:00 P.M. or as otherwise mutually agreed on by the parties hereto. All work performed on Saturday and all work performed before 7:00 A.M. and or after 6:00 P.M. and all work performed in excess of Ten (10) hours per day shall be paid at the rate of time and one-half the regular rate.
- 8.02 The Standard hours of work on Bridges and Structures, for employees covered by this Agreement from date of signing to December 31st, 1982, shall be forty-five (45) hours per week being Nine (9) hours per day, Monday to Friday inclusive between the hours of 7:00 A.M. and 5:30 P.M. or as otherwise mutually agreed on by the parties hereto. All work performed before 7:00 A.M. and or after 5:30 P.M. and all work performed in excess of Nine (9) hours per day and all hours worked on Saturday shall be paid at time and one-half the regular rate.
- 8.03 Overtime at the rate of double the employee's current hourly rate shall be paid to all employees for all work performed on Sundays and the following Statutory Holidays', New Year's Day, Good Friday, Victoria Day, Dominion Day, Civic Holiday (when declared a legal holiday) Labour Day, Thanksgiving Day, and Christmas Day.
- 8.04 When shift work is carried on in two shifts the first shift shall get paid at the regular hourly rate. The second shift shall receive a premium of One Dollar (\$1.00) per hour over the above regular hourly rates as shown under schedules A.B. and C. of this Agreement.
- 8.05 Work performed on any shift in excess of the standard hours as per Article 8.01 and 8.02 above shall be paid at the rate of time and one-half.

- 8.06 The parties hereto agree that make up time on Saturdays, may be worked at straight time from 7:00 A.M. to 12:00 Noon, whenever an employee is willing to work on Saturday and provided he has not worked forty (40) hours on that week due to inclement weather.

ARTICLE 9 CLOTHING AND SHELTER

- 9.01 The Employer shall provide Oilskins when an employee is required to perform work during inclement weather. The Union recognizes the right of the Employer to economically supervise the distribution of clothing provided and will co-operate with the employer to prevent wasteful practices.
- 9.02 The Employer shall where practicable provide suitable shelter in which employees may eat their meals and change their clothes. Such shelter shall be provided with heat by the Employer during cold weather and shall not be used for storage of tools and materials
- 9.03 The Employer shall not be held responsible for any loss or damage occasioned to the personal property of any employee left in such shelter.

ARTICLE 10 PAY DAY

- 10.01 All wages shall be paid in cash or cheque, at the option of the Employer and shall be paid weekly during working hours.
- 10.02 Employees when discharged shall be paid in full, on the job or time shall be allowed to go to the Employer's office for wages, and any time spent in waiting for wages shall be paid for at the regular rate of pay.
- 10.03 The Employer shall set out on the employee's pay envelopes or statement the employee's name, hourly rate of pay, the number of hours worked, the number of hours of overtime and the amount of deductions for Income Tax, Unemployment Insurance, Ontario Hospital Services Commission and other deductions authorized by the Employee.
- 10.04 Whenever Unemployment Insurance Separation Certificates and Ontario Hospital Services Commission form 104 are not given to the employee at the time of termination, they shall be forwarded by registered mail to his last known address within 48 hours from the time of termination.

ARTICLE 11 PAY ON LAY OFF

- 11.01 One Hour's notice must be given by either party at all times when an employee is laid off, dismissed or when an employee quits.

ARTICLE 12 TRAVELLING EXPENSES AND TRANSPORTATION

- 12.01 No travelling expenses shall be paid for work on projects within the scope of this agreement.
- 12.02 In regard to out of town allowances, it is understood that if the Company requires an employee to be out of town overnight the Company will provide suitable room and board for the employee up to a maximum of Twenty-five (\$25.00) dollars a day or One Hundred and Twenty-five (\$125.00) a week.
- 12.03 In regard to travelling time in the area outside the scope of this agreement, the employee will be paid at the rate of Eighteen (18¢) cents per Km. from the Hamilton City limits to and from the job site. Such payment is in lieu of room and board. When Company transportation to and from the job is supplied, the Employees shall be paid straight time for time spent travelling back and forth to a maximum of Two (2) hours per day.
- 12.04 It is understood that, when an employee is sent out of town by the Company by the circumstances contemplated by paragraphs 12.02 and 12.03 above the employee will maintain the rates of wages and hours of work for such employer as provided in the Collective Agreement.
- 12.05 If an employer transfers an employee from one job to another during working hours, the employee shall be paid at the regular rate during transit.

ARTICLE 13 GENERAL

- 13.01 The Employer shall provide sanitary facilities on the job in accordance with Municipal Health Regulations.
- 13.02 The Employer shall allow not more than three members of the Union without pay to attend Union Conventions and Conferences providing at least one working day notice has been given.
- 13.03 The Union agrees to co-operate with and assist the Employer in every legitimate way towards the conducting of successful business bearing in mind that both parties must give service to the public.
- 13.04 A ten minutes refreshment break shall be allowed one in the morning and one in the afternoon as arranged by the Steward or Union Representative and the job Superintendent. The same privilege shall apply to the second and third shifts. Employees required to work overtime in excess of one hour shall be allowed a ten minute refreshment break before such overtime commences.

- 13.05 The Employer agrees to provide drinking water in closed containers and to supply paper drinking cups.

ARTICLE 14 JURISDICTIONAL DISPUTES

- 14.01 When a work claim dispute arises between the Union which is a party to this Agreement and any other Union or Organization which cannot be settled to the satisfaction of all parties concerned, work shall proceed without stoppage. Such a dispute shall forthwith be processed as a complaint to the Ontario Labour Relations Board requesting an order from the Jurisdictional Disputes Commission as outlined in Section 81-1 of the Ontario Labour Relations ACT and in the meantime work will be assigned by the Employer to the Union Signatory to this Agreement, until he is otherwise directed by the Ontario Labour Relations Board.

ARTICLE 15 REPORTING ALLOWANCE

- 15.01 An employee who reports for work at the Employer's job site or shop unless directed not to report the previous day by his Employer, and for whom no work is available due to reasons other than inclement weather, shall receive a minimum of four hours' reporting time, and shall remain at other work if requested to do so by the foreman.
- 15.02 An employee who reports for work at the Employers job site or shop unless directed not to report and for whom no work is available, due to inclement weather shall receive "a minimum of one hour's reporting time provided the employee remains on the job for one hour after his designated starting time, if requested to do so by the foreman.

ARTICLE 16 VACATION PAY AND STATUTORY HOLIDAY PAY

- 16.01 Vacation and Statutory Holiday pay shall be paid at the rate of Ten Per Cent (10%) of the Gross Wage.
- 16.02 It is understood and agreed that the portion of vacation with pay over Four (4%) per cent as set forth in Article 16.01 hereof, is paid in lieu of Statutory holiday pay.
- 16.03 It is agreed and understood that the Vacation pay money shall be remitted monthly to the Union Vacation Pay Fund along with Welfare on Forms supplied by the Union.

F.24

ARTICLE 17 WAGE RATES AND CLASSIFICATIONS

- 17.01 Employees covered by this agreement shall be paid in Accordance with the wages and classifications as set out in Schedule "A" "B" and "C" of this Agreement.

ARTICLE 18 EMPLOYEES PROTECTION

- 18.01 The parties hereto agree that no employee will receive a reduction in his take home pay because of the implementation of this Agreement or attached schedules.

ARTICLE 19 HEALTH AND WELFARE, PENSION AND TRAINING FUNDS

- 19.01 At is option, the Union shall apply \$1.55 per hour of the wages listed in schedules "A" "B" and "C" of this Agreement to the Union Welfare and Pension Plans, and the Contributions shall be specified by letter to the Employer giving effective dates and amount of contributions as required from time to time to operate such plans and the amount so specified shall be sent to the Trustees of the Union within 15 days of receipt of such letter and the wage rates in Schedules "A", "B" and "C" shall be amended accordingly on receipt of such written notification from the Union Trustees.
- 19.02 In the event the Union wishes to exercise its option as stated in 19.01 above, the Union undertakes not to use any monies paid to Health, Welfare & Pension Plans Funds for the purpose of providing strike benefits to any of the Union members or employees against any of the Employers, signatory to this Agreement.
- 19.03 The Union further agrees to provide the Employer with an annual audited statement, certified by a chartered accountant, as to the allocation and disbursement of the Health and Welfare, Pension and Training Fund.

cont/ 9

- 19.03 The Union further agrees to provide the Employer Upon request with an annual audited statement, certified by a chartered Accountant, as to the allocation and disbursement of the Health and Welfare and Pension Funds.

ARTICLE 20 CHECK OFF DUES

- 20.01 Commencing on February 15th, 1981, each employee agrees that Sixteen Cents (16¢) working dues per hour, for each hour worked, shall be deducted and submitted to the Union, on forms supplied by the Union, as per dates in Article 19. A release form for This deduction required by the Employer for each Employee.

ARTICLE 21 TERM OF AGREEMENT

- 21.01 This Agreement shall be in full force and effect from February First 16th 1981 and shall remain effective and operating until December 31st, 1982.

ARTICLE 22 CCNDITIONS OF AMENDMENT

- 22.01 Should the Union or the Employer desire to change, add to, amend or terminate this Agreement, written notice to that effect will be given not more than ninety days and not less than sixty days prior to the termination of this Agreement. On receipt of such notice the parties to the Agreement shall convene a meeting within Fifteen (15) days and bargain in good faith to endeavour to reach an Agreement. If no such notice is given this Agreement shall be automatically renewed and remain in force from year to year from its expiration date.

IN WITNESS WHEREOF the parties of the first part and the parties of the second part have caused their duly authorized representatives to affix their signatures the day and year first above written.

SIGNED ON BEHALF OF THE HAND ASSOCIATION
OF SEWER, WATERMAIN AND ROAD CONTRACTORS

Robert Green

William H. S. Green

J. J. McHally

SIGNED ON BEHALF OF THE UNION

Eric J. McHally

Thomas McHally

Signed this 1st day of April 19 81 at Hamilton

SCHEDULE "A"

The rates of wages and classification for employees engaged in sewer and watermain, road building, paving and parking lot construction and all work incidental thereto, covered by this Agreement during the regular day shift shall be the following:

<u>CLASSIFICATION</u>	<u>January 1, 1981</u>	<u>January 1, 1982</u>
Labourers, including Wire Mesh and Pump Man 3" Disch & Under	\$11.70	\$12.90
Skilled Labourers including but not limited to concrete Screedmen, Puddlers, and Floatmen Etc..	\$11.85	\$13.05
Concrete Mixer Under 1 Cubic Yard	\$11.85	\$13.05
Dinky Motor Man	\$11.85	\$13.05
Scootcrete Driver	\$11.85	\$13.05
Powderman	\$11.70	\$13.90
Crawler Type Drillman	\$12.70	\$13.90
Rodman Reinforcing Installers	\$12.20	\$13.40
Asphalt Rakers	\$12.20	\$13.40
Catch Basin Constructors	\$12.20	\$13.40
Pipelayers (All Types & Materials)	\$12.20	\$13.40
Form Setters	\$12.20	\$13.40
Man Hole Valve Chamber Constructors	\$12.30	\$13.50
Concrete Finishers, Curb Setters, Gutter Brick Setters	\$12.20	\$13.40
Working Foremen	\$12.95	\$14.15
Watchmen Six Shifts per week, Ten (10) hours per shifts	\$325.00 Pr. Week	\$375.00 Pr. Week
Flagmen	\$ 7.60	\$ 8.90

SCHEDULE " B "

The rates of Wages and classifications for employees engaged in bridge building, retaining walls and heavy engineering construction; covered by this Agreement during the regular day shift work hours, shall be the following:

<u>CLASSIFICATIONS</u>	<u>January 1, 1981</u>	<u>January 1, 1982</u>
Labourers, including Carpenters Helpers, Form Strippers (All Types)	\$12.00	\$13.20
Scaffold Erectors (All Types), and Dismantlers	\$12.00	\$13.20
Fence Erectors (Chain Link, Guard Rail Etc)	\$12.00	\$13.20
Pumpman 3" Disch and under	\$12.00	\$13.20
Skilled Labourers, Incl But not limited to Concrete Smoothers, Patchers, Puddlers and Floatmen.	\$12.15	\$13.35
Operators of all machine driven tools, by gas, electricity and air in open cut work.	\$12.15	\$13.35
Powderman	\$13.00	\$14.20
Crawler Type Driller	\$13.00	\$14.20
Crane Signalman	\$12.15	\$13.35
Sheeting & Shoring and Timberman	\$12.15	\$13.35
Form Setters	\$12.90	\$14.10
Rodman	\$12.50	\$13.70
Concrete Finishers	\$12.70	\$13.90
Piling Driving (All Types and All Operations Related Thereto)	\$12.35	\$13.55
Working Foremen	\$13.25	\$14.45
Watchmen Shifts per Week, (ten) 10 hours Pr. Shift	\$325.00	Pr. Wk \$375.00 Per Week
Flagmen	\$ 9.05	\$ 10.25

An employee working as a labourer under A., B., or C. Schedule who is required to do casual watching or work as a flagman on a casual or intermittent basis will not have his rate reduced thereby.

SCHEDULE " C "

The Rates of Wages and classifications for employees engaged in mining and tunneling operations, covered by this Agreement during the regular day shift work hours, shall be the following:

<u>CLASSIFICATIONS</u>	<u>January 1, 1981</u>	<u>January 1, 1982</u>
Labourers	\$11.70	\$12.90
Underground Labourers	\$12.00	\$13.20
Reinforced Concrete Workers	\$12.00	\$13.20
Smoothers, Puddlers, Screedman, Floatmen & Form Setters, Pipelayers (All Types and Materials)	\$12.00	\$13.20
Concrete Leader	\$12.25	\$13.45
Concrete Mixer Man (1 Cubic Yard & Under)	\$12.00	\$13.20
Pumpman (3" Disch & Under)	\$11.70	\$12.90
Scotcrete, Farmtractor & Locomotive Drivers	\$12.00	\$13.20
Pit Bottom Man, Deck Man & Signal Man	\$11.70	\$12.90
Pile Driving all types & All Operations related thereto	\$12.35	\$13.55
Muckers and Miners Helpers	\$12.00	\$13.20
Miners, Drillers, Mucking Machine and Slusher Drivers and Timberman Crawler Type Drill Man	\$12.50	\$13.70
Conveyor Belt Attendant	\$12.00	\$13.20
Lead Miner	\$12.75	\$13.95
Powder Man	\$12.80	\$14.00
Fence Erectors	\$11.70	\$12.90
Shield Drivers and Mole Drivers	\$12.75	\$13.95
Grout Machine Man	\$12.50	\$13.70
Diamond Driller	\$12.50	\$13.70
Brill Doctor and Steel Sharpener	\$12.50	\$13.70
Welder	\$12.50	\$13.70
Cage Tender	\$12.00	\$13.20
Scooptran Driver	\$12.00	\$13.20
Trackman	\$12.00	\$13.20
Pressweld and Concrete Pumpman	\$12.00	\$13.20
Working Foreman	\$12.30	\$13.50
Watchman and Dryman	\$10.90	\$12.10

MEETING OF CITY COUNCIL

August 25, 1981

A G E N D A

- A Finance Committee
- B Legislation Committee
- C Parks and Recreation Committee
- D Planning and Development Committee
- E Transport and Environment Committee
- F Personnel Committee
- J By-laws

REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:-

The Finance Committee presents its SIXTEENTH Report and respectfully recommends:-

1. Members of City Council are advised that the Finance Committee, through a sub-committee composed of Mayor W. Powell, Alderman P. O. Valeriano, Alderman R. Wheeler and Mr. L. Sage, Chief Administrative Officer, has been attempting to negotiate a lease with the Ministry of the Attorney General for the former Main Library building at 55 Main Street West for court purposes. The resolution approved by the Finance Committee established a thirty (30) day limit for the conclusion of these negotiations, failing which a recommendation would be submitted to City Council to demolish this building.

The Ministry of Government Services, which will report to the Ministry of the Attorney General as to the condition of the building as well as to what renovations may be required to make it appropriate for use for court purposes, carried out an inspection of the Library building on August 12, 1981. It is expected that the report of the Ministry of Government Services will be submitted shortly to the Ministry of the Attorney General. When that has been done, arrangements will be made for the sub-committee to meet with the Attorney General to discuss the leasing of the building for court purposes. The established limit of thirty (30) days for the conclusion of these negotiations expired August 22, 1981.

The Finance Committee recommends that the time for the conclusion of these negotiations be extended for an additional thirty (30) day period.

2. Section 10 of the Sixteenth Report of the Parks and Recreation Committee and reading as follows:-

"10. (a) That the City of Hamilton fund 25% of the cost of a feasibility study, up to a maximum of \$5,000.00 to examine the appropriateness of the Bank of Montreal Building on James Street South and the Carnegie Building on Main Street West (former Library Building) to house the Arturo Toscanini Collection.

(b) That the Finance Committee be requested to recommend the method of financing this expenditure."

was tabled until August 25, 1981 by City Council on the recommendation of the Finance Committee.

City Council, at its meeting held July 28, 1981, approved of the issuance of a demolition permit for the former Bank of Montreal building. If this demolition is proceeded with and the Finance Committee is successful in its negotiations to lease the former Main Library building for court purposes, then neither of these buildings will be available to house the Arturo Toscanini Archives.

11. That the Association of Municipalities of Ontario be requested to seek a change in Section 528(8) of The Municipal Act which limits the fees chargeable by bailiffs for the issuance of tax warrants.

Note: Members of City Council are advised that a change is being requested from the present limit of 5% of the value of the warrant served. As an example, if a \$50.00 warrant is to be served which could involve driving to the City limits, the maximum fee which could be charged is \$2.50.

12. That the Treasurer and Commissioner of Finance be authorized to support an application by Amalgamated Bailiffs, 2018 Bathurst Street, Toronto, to seek the necessary approval from a District or County Judge which would permit this firm to act as an agent of the City of Hamilton in the collection of business and/or realty tax arrears, in the capacity of a bailiff, and that if approved by the Court, to engage this firm as an agent, subject to the receipt of adequate bonding and liability insurance.

Respectfully submitted,

ALDERMAN H. MERLING,
ACTING CHAIRMAN.

R. M. Collier, Secretary,
August 20, 1981.

REPORT OF THE LEGISLATION COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its FOURTEENTH Report and respectfully recommends:

GRANTS AND CIVIC HOSPITALITY

1. That a grant in the amount of \$300.00 be made to the Hamilton Diocesan Marriage Encounter - National to assist in defraying expenses in connection with the Fifth Canadian National Marriage Encounter Conference held in the City of Hamilton from July 31 to August 2, 1981 at McMaster University. Estimated attendance, 300 people.
2. That a grant in the amount of \$1,000.00 be made to the Hamilton Area Challenge Square Dancers Inc. to assist in defraying expenses in connection with their Annual Convention to be held at the Hamilton Convention Centre in November of 1982. Estimated attendance, 1,500 people.
3. That an additional grant in the amount of \$150.00 be made to the Westdale Sr. & Jr. Boys Basketball Teams to assist in providing a bus tour of the City's cultural and industrial sites and finance admission to the Canadian Football Hall of Fame and Whitehern upon the occasion of the visit of the Reynolds High School Sr. & Jr. Basketball Teams from Victoria, British Columbia to the City of Hamilton from December 11 - 20, 1981.
4. That a civic luncheon be provided to the members of the Hamilton and District Credit Union Chapter on the occasion of celebrating International Credit Union Day on Saturday, October 17, 1981. Estimated attendance, 100 persons.
5. That a grant in the amount of \$150.00 be made to the Hamilton History Association to provide a bus tour of the City and admissions to Dundurn Castle and Whitehern for delegates attending the Museums Conference of the Ontario Historical Society to be held in the City of Hamilton from October 14-16, 1981. Estimated attendance, 125 people.
6. That Section 5 of the Thirteenth Report of the Legislation Committee adopted by City Council July 28, 1981 be rescinded.

Note: The above section dealt with approval of a grant to the Hamilton Electrical Maintenance Club for their 1983 Convention. The application will be resubmitted in 1983 as required by the City's grant policy.

CIVIC AWARDS

7. That civic awards be made to the following:
 - (a) Danny Sherry who brought honours to the City of Hamilton in 1981 by winning the Canadian National Junior Boxing Championship..

- (b) Ron Stewart who brought honours to the City of Hamilton in 1981 by winning the Ontario Junior Boxing Championship.
- (c) Members of the Roller World Skating Club who brought honours to the City of Hamilton in 1981 by winning Canadian Championships.
- (d) Alf Sundin who brought honours to the City of Hamilton in 1979 by winning Canadian Championships in Javelin Throwing and in Shot & Discus.

8. CITY HALL FACILITIES

- (a) That Participation House - Hamilton and District be permitted to use the City Hall Forecourt and rear parking lot for the opening ceremonies, registration, parking, etc. in connection with the Participation Day Walkathon to be held on Sunday, September 27, 1981 and that they also be permitted to use the vacant City-owned land at the north-west corner of Lawrence Road at the King Street East Junction as a walkathon check-point provided that Participation House re-instate the grounds to its present condition after the walk and that they provide adequate indemnification insurance.
- (b) That the Jerry Lewis Muscular Dystrophy Telethon Hamilton Committee be permitted to use the City Hall Forecourt and washrooms on Monday, September 7, 1981 for the purpose of accepting contributions to the Jerry Lewis Muscular Dystrophy Telethon.
- (c) That the Hamilton History Association be permitted to use the Second Floor Lobby of the City Hall to display an exhibit entitled "Black History in Early Ontario" from November 28, 1981 to January 10, 1982 on the understanding that the exhibit will be removed during the Christmas period.

9. LEGISLATION

- (a)(i) "That an agreement be entered into between the City of Hamilton and Mr. B. Hubbard satisfactory to the City Solicitor and City Clerk for the use of the Coffee Shop Stand #76 commencing September 1, 1980 for a period of five (5) years at a monthly fee of \$200.00 plus an additional prorated fee for additional use in excess of three (3) market days. During the term of the agreement, the monthly fee will be subject to the same percentage increases which may be applied to the other market stands, and provided further that the licensee shall have an option to renew this agreement for a further period of five (5) years on the same terms."

That the Mayor and City Clerk be authorized to execute the above agreement on behalf of the City of Hamilton.

- (ii) That Section 11(c) of the Thirteenth Report of the Legislation Committee adopted by City Council July 28, 1981, which dealt with the above agreement be rescinded.
- (b) That City Council assume all costs involved including any judgement which may be awarded in connection with the legal action which has been taken against Alderman James Bethune, former Controller James E. Campbell and Alderman Dennis A. Carson, in the performance of their duties as a result of a writ issued on behalf of James Wilson, and that the City Solicitor be authorized and directed to make application to the Provincial Legislature for private legislation authorizing the City to assume these costs.
- (c) That the Province of Ontario be petitioned to enact permissive legislation enabling Hamilton City Council to assume all costs including any judgements which may be awarded in connection with legal action brought against City Councillors while in the performance of their duties on behalf of The Corporation of the City of Hamilton.

10. LICENCING

- (a) That the following recommendation of the Licencing Committee, which was tabled by City Council at its meeting July 28, 1981, be lifted from the table and approved:

"That the taxi-cab licence #230 owned by Mr. Allan Kent be revoked, due to the fact that Mr. Kent was convicted of a criminal offence which he committed while using a regulated vehicle, namely Taxi #230, which is contrary to Section 15(b) (a) of By-law #79-323, as amended."

The above action is recommended following a full hearing before the Licencing Committee by the licence holder who was represented by legal counsel.

11. OTHER

Adoption of the following policy with respect to civic momentos.

- (a) That the City of Hamilton momentos be kept in the Purchasing Department's Inventory Stock Room and only be released by a requisition signed by the Mayor and the Chief Administrative Officer. This procedure will permit the Mayor's Office to obtain an inventory of momentos by drawing from the Purchasing Department's Inventory by requisition.
- (b) That the following gifts be presented to visitors to the City Hall:
 - large delegation, over 15 - ball point pen or lapel badge
 - small groups, 5-15 - Hamilton Maple Leaf pins
 - individual guests - key rings, coffee mugs
 - official guests, e.g. politicians or Presidents of Associations, etc. - steins, silver broaches or pens
 - dignitaries, e.g. Governor General, Premier's, Mayor's, etc. - statues

12. That the tax adjustments as set out in Schedule A (Compassionate) be approved as recommended by the Tax Appeal Sub-committee as a result of its hearing of August 20, 1981.
13. That leave be granted to introduce the following bills:
 - (a) Bill B-32 - a By-law to confirm proceedings of the Council of The Corporation of the City of Hamilton at its meeting held August 25, 1981.

Respectfully submitted,

Alderman J.A. MacDonald, Chairman

SGH/sma
August 20, 1981.

REPORT OF THE PARKS AND RECREATION COMMITTEE

The Parks and Recreation Committee presents its TWENTIETH Report for 1981, and respectfully recommends:

1. In keeping with the policy established by City Council, the Parks and Recreation Committee undertook a review of the Parks Acquisition Programme for 1981 and respectfully recommends:

(a) BEASLEY NEIGHBOURHOOD

That an amount of \$57,000.00 be transferred from the Reserve for Lands Conveyed to the City for Public Purposes (Parkland) Account No. 0280-11 to the Beasley Priority Parkland Account No. 0408-C6604 for additional properties.

NOTE: At present there is approximately \$68,000.00 remaining in this account, with four (4) properties yet to be acquired. The estimated cost to acquire these four properties is \$125,000.00 which leaves a shortfall of \$57,000.00. Four properties have been acquired since the September 1980 review of this programme.

(b) LANDSDALE NEIGHBOURHOOD

That an amount of \$50,000.00 be transferred from the Landsdale Priority Parkland Account No. 0408-C7600 to the Reserve for Lands Conveyed to the City for Public Purposes (Parkland) Account No. 0280-11 as these funds are in excess of the actual requirements.

NOTE: At present there is approximately \$195,000.00 remaining in this account with three (3) properties yet to be acquired. The estimated cost to acquire these three properties is \$145,000.00 which leaves a surplus of \$50,000.00. No properties have been acquired since the September 1980 review of this programme.

(c) MCANULTY NEIGHBOURHOOD

That an amount of \$15,000.00 be transferred from the Reserve for Lands Conveyed to the City for Public Purposes (Parkland) Account No. 0280-11 to the McAnulty Priority Parkland Account No. 0408-C0603 for additional properties.

NOTE: At present there is approximately \$45,000.00 remaining in this account, with two (2) properties yet to be acquired. The estimated cost to acquire these two properties is \$60,000.00, which leaves a shortfall of \$15,000.00. One property has been acquired since the 1980 review of this programme.

(d) CROWN POINT WEST NEIGHBOURHOOD

That a Priority Parkland Acquisition Account be set up for the Crown Point West Neighbourhood and that an amount of \$250,000.00 be transferred from the Reserve for Lands Conveyed to the City for Public Purposes (Parkland) Account No. 0280-11 to the new

account, for purchase of properties (Plan 1).

NOTE: Attached for the information of the members of City Council as "Plan 1" is a plan showing the Crown Point West Neighbourhood Park as approved by City Council on April 14th, 1981. The proposed park site contains twenty-six (26) properties. The estimated cost to acquire these properties is \$800,000.00. The committee is recommending that an amount of \$250,000.00 be appropriated at this time, in order to commence with the Acquisition Programme.

(e) HOMESIDE NEIGHBOURHOOD

That a Priority Parkland Acquisition Account be set up for the Homeside Neighbourhood and that an amount of \$250,000.00 be transferred from the Reserve for Lands Conveyed to the City for Public Purposes (Parkland) Account No. 0280-11 to the new account, for purchase of properties (Plan 2).

NOTE: Attached for the information of the members of City Council as "Plan 2" is a plan showing the Homeside Neighbourhood Park as approved by City Council on April 28th, 1981. The proposed park site contains twenty-six properties. The estimated cost to acquire these properties is \$900,000.00. The committee is recommending that an amount of \$250,000.00 be appropriated, at this time, in order to commence with the acquisition programme.

(f) BEASLEY NEIGHBOURHOOD

That the Director of Real Estate be authorized and directed to negotiate the acquisition of 60 Elgin Street for parks purposes and further that this acquisition, at an estimated cost of \$60,000.00 be financed from the Reserve for Lands Conveyed to the City for Public Purposes (Parkland) Account No. 0280-11.

NOTE: This property contains a Truck Leasing Depot and has been offered for sale to the City. The property, while not in the Priority I Acquisition Area, is within the area designated for park use and is immediately adjacent to the Priority One Area.

The property is not intensively developed and therefore represents good value for parkland.

- (g) The following information relative to the remaining six (6) Priority I Parks, is submitted for the information of the members of City Council.

(i) CORKTOWN NEIGHBOURHOOD

There is a balance of approximately \$80,000.00 in this account, which is sufficient to purchase the three (3) remaining properties yet to be acquired. No properties have been acquired since the September 1980 review of this programme.

(ii) CROWN POINT EAST

There is a balance of approximately \$120,000.00 remaining in this account. Ten properties are yet to be acquired, at a total estimated cost of \$350,000.00, which leaves a shortfall of \$230,000.00. One property has been acquired since the September, 1980 review of this programme. The committee is of the opinion that the \$120,000.00 presently available in this account is sufficient at this time.

(iii) DURAND NEIGHBOURHOOD

There is a balance of approximately \$100,000.00 remaining in this account. Three properties are yet to be acquired, at a total estimated cost of \$155,000.00, which leaves a shortfall of \$55,000.00. No properties have been acquired since the September, 1980 review of this programme. The committee is of the opinion that the \$100,000.00 presently available in this account is sufficient at this time.

(iv) KEITH NEIGHBOURHOOD

There is a balance of approximately \$110,000.00 remaining in this account, which is sufficient to purchase the five (5) remaining properties yet to be acquired. No properties have been acquired since the September 1980 review of this programme.

(v) RUSHDALE NEIGHBOURHOOD

There is a balance of approximately \$15,000.00 remaining in this account, which is sufficient to purchase the one (1) remaining property yet to be acquired. No properties have been acquired since the September 1890 review of this programme.

(vi) STINSON NEIGHBOURHOOD

There is a balance of approximately \$130,000.00 remaining in this account. Six (6) properties are yet to be acquired at a total estimated cost of \$200,000.00, which leaves a shortfall of \$70,000.00. One (1) property has been acquired since the September 1980 review of this programme. The committee is of the opinion that the \$130,000.00 presently available in this account is sufficient at this time.

- (h) Attached for the information of the members of City Council, as Schedule "A", is a Financial Statement, dated July 16th, 1981, as prepared by the Treasurer, which shows the status of the various Priority Parks Accounts as at July 15th, 1981 and the status of these accounts after giving effect to the foregoing recommendations.

2. That the request by the Donnici Social Club to sell alcoholic beverages in Gage Park in connection with the Feast of St. Michael Celebrations on August 30th, 1981, be denied.
3. That the request by four representatives of the Canadian Roller Skating Club to utilize Gore Park as a base for a Muscular Dystrophy Roll-A-Thon continuously, from August 28th to 30th, 1981, inclusive, be approved, subject to approval and supervision as deemed necessary by the Hamilton Wentworth Regional Police Department.
4. That permission be granted to the Festitalia Corporation to hold their annual Piazza in Gage Park on September 20th, 1981, between the hours of 9:00 a.m. and 11:00 p.m., subject to terms and conditions satisfactory to the Director of Culture and Recreation, and in accordance with Parks By-law No. 77-221.
5. That the request of the Family Services of Hamilton-Wentworth Inc., to utilize two craft rooms at Sir Winston Churchill Recreation Centre, for three day-time periods per week, from September 1981 to June 1982, be approved at a special rate, for this season only, of \$500.00.
6. (a) That the request of the Burlington Sailing and Boating Club to reconstruct, at its own expense, a club house at LaSalle Park, on an area not to exceed 1,600 square feet, be approved.

(b) That the Agreement between the Burlington Boating and Sailing Club and the Corporation of the City of Burlington, provide for, among others things, the following:
 - (i) The building, once constructed, will be owned by the City of Burlington.
 - (ii) The Burlington Boating and Sailing Club be responsible for interior maintenance with the City of Burlington responsible for exterior maintenance.
 - (iii) That the Burlington Boating and Sailing Club and/or the City of Burlington indemnify and save harmless the City of Hamilton from all claims, as a result of permission being granted.

NOTE: For the information of the members of City Council, the original club house, which was recently destroyed by fire, was approved by Hamilton City Council on December 14th, 1976 on the understanding that there would be no expansion of the facility. The plans for reconstruction propose the addition of a second floor to make more effective use of the facility.

7. That the Chairman and Vice-Chairman, or their nominees, be authorized to attend the "Ministers Conference" on Recreation-Planning Committee, to be held in Toronto, Ontario, October 5th to 7th, 1981.

8. Approval of the leasing of the property at 50 Holly Avenue to Mrs. Lynn MacDonald, commencing August 1st, 1981 at a monthly rental of \$240.00 (including taxes).
9. Approval of the payment of an account in the amount of \$300.00 from the Hamilton Liquidating Company Ltd., for appraisal services rendered in connection with the expropriation of the property at 43 Railway Street, which is required in connection with the Central Neighbourhood Park.
10. That the City Solicitor be authorized and directed to solicit a Court Warrant for vacant possession of the property at 5 Harriet Street, Hamilton, Ontario.

NOTE: For the information of the members of City Council, this property was expropriated for parks purposes, and was subsequently leased back to G. and M. Carofano, former owners.

In addition, to the property now being required for the development of the park site, the tenant is in default of rent payments.

11. Approval of an "Agreement by the Owner to accept Compensation" from the F. W. Woolworth Co. Limited for the acquisition of the tenants interest in the property at 129 Mulberry Street, for the sum of \$7,822.00. This expenditure to be charged to account no. 0405-X90106.

Required for parks purposes - Central Neighbourhood Park.

12. Approval of the following purchase:

DEPARTMENT OF PUBLIC WORKS - PARKS DIVISION

ALPINE SNOWMAKING EQUIPMENT LTD., Mississauga, Ontario

For the supply and delivery of 5000 ft. of fiberglass pipe for snowmaking lines at King's Forest Ski Hill, in accordance with specifications issued by the Director of Purchases and Vendor's Tender for the total sum of . . \$21,614.00

Note: Lowest of three tenders.

13. The HAMILTON and SCOURGE Foundation, Inc., will be establishing an account with the main branch of the Canadian Imperial Bank of Commerce for the purpose of conducting its financial affairs.

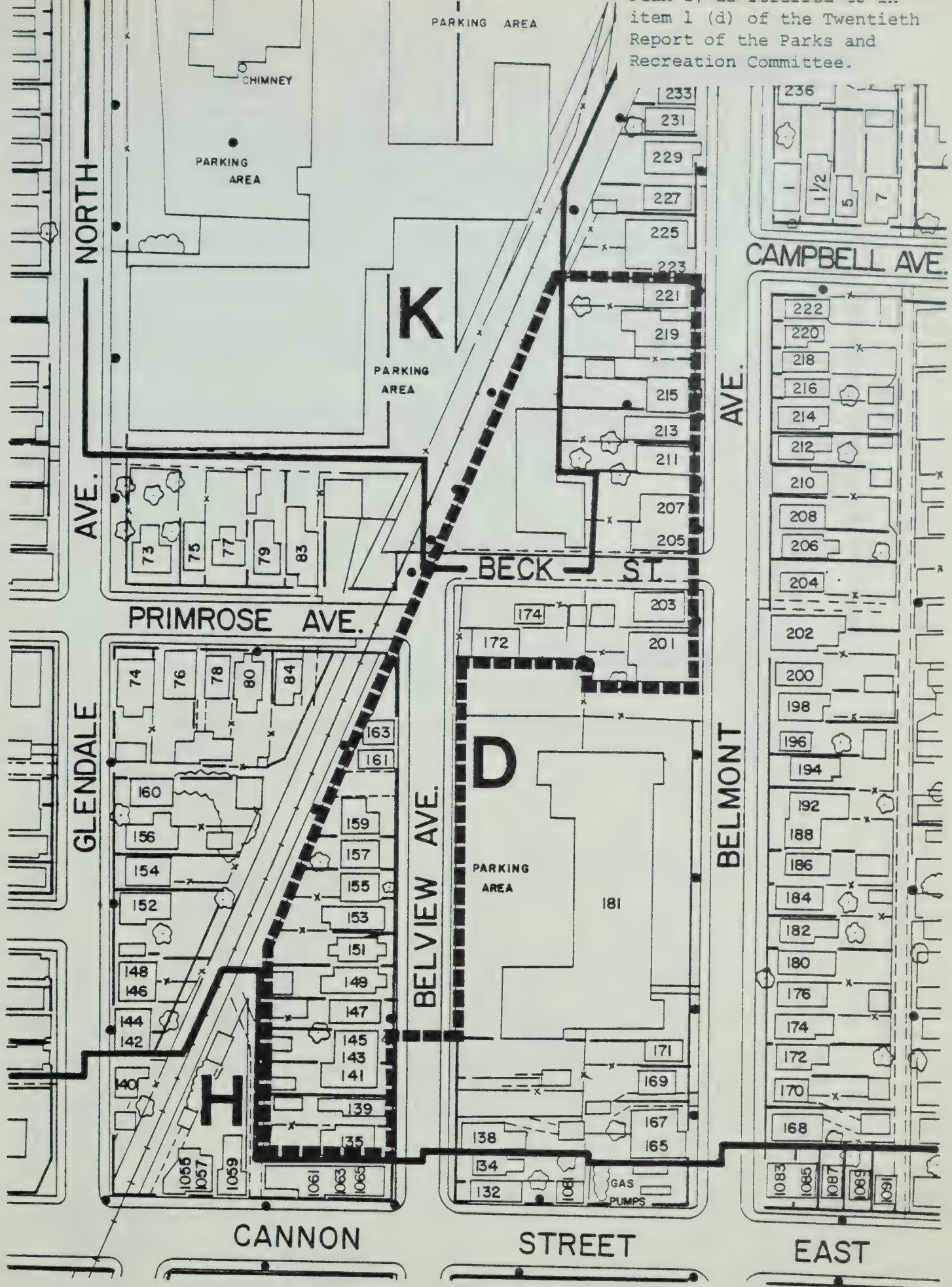
The Parks and Recreation Committee recommends that the funds presently in the HAMILTON-SCOURGE Account No. 9636 - City Treasury Department, be turned-over to the HAMILTON and SCOURGE Foundation, Inc.

For the information of the members of City Council, all funds in this particular account in the Treasury Department, have been donated to the City of Hamilton, specifically for the HAMILTON and SCOURGE Project. At present, there is a balance of approximately \$4,700.00 remaining in this account.

Respectfully submitted,

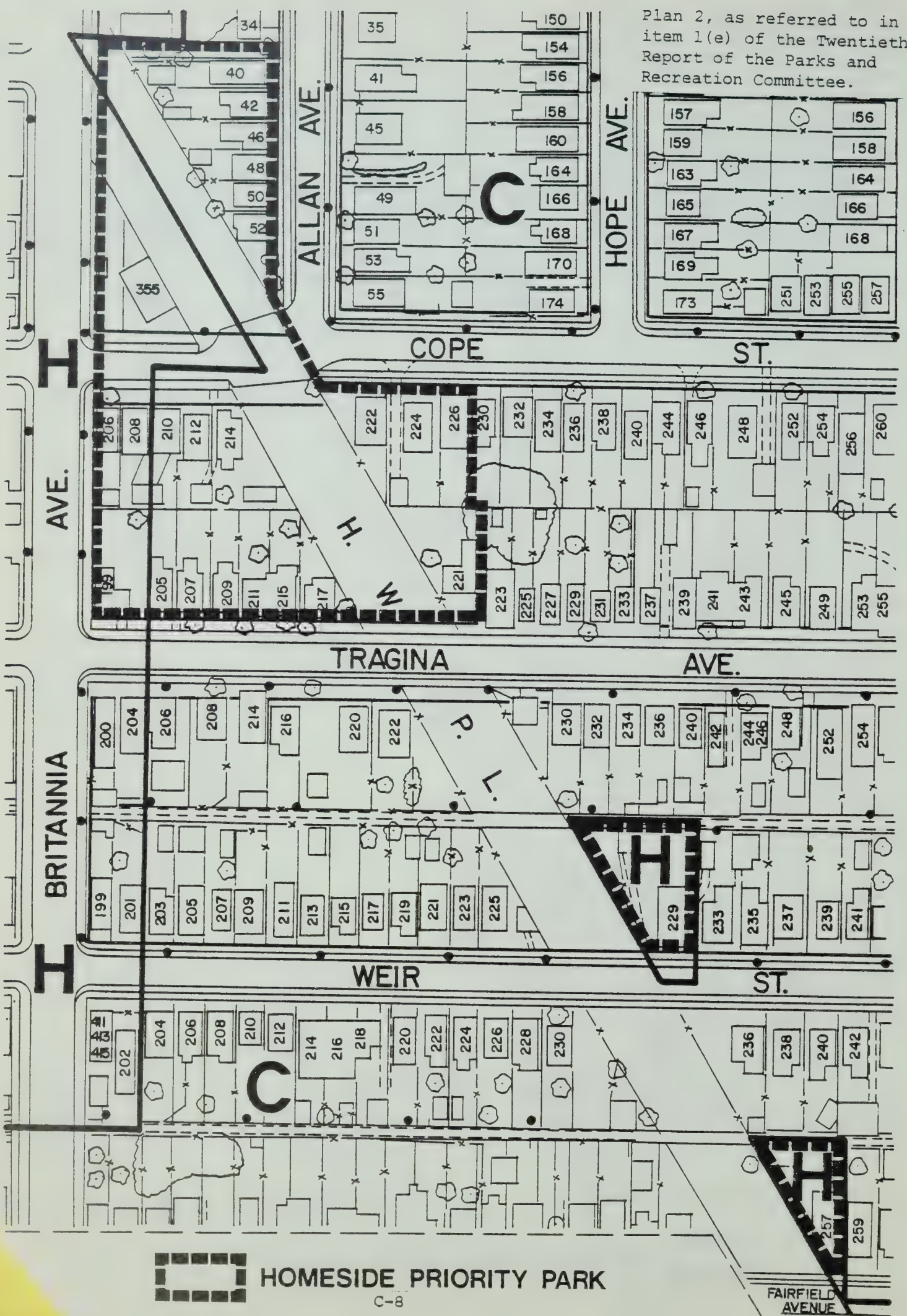
ALDERMAN K. M. EDGE, CHAIRMAN
PARKS AND RECREATION COMMITTEE

J. J. Schatz, Secretary
August 19th, 1981



CROWN POINT WEST PRIORITY PARK

Plan 2, as referred to in item 1(e) of the Twentieth Report of the Parks and Recreation Committee.



HOMESIDE PRIORITY PARK

C-8

City of Hamilton
Treasury

STATEMENT OF PRIORITY PARKLAND ACQUISITION ACCOUNTS AND
THE RESERVE FOR LANDS CONVEYED TO CITY FOR PUBLIC PURPOSES
AS AT JULY 15, 1981 AND THE STATUS OF THEIR ACCOUNTS
AFTER GIVING EFFECT TO PROPOSED RECOMMENDATIONS

Account Number (1)	Description (2)	Current Status			Transfer from and (to) Reserve (6)	Recommend- ation Number Reference (7)	Resultant Status			Reserve for Lands Conveyed to the City for Public Purposes (0280-11) (11)
		Authorized Cost (3)	Commitments & Payments (4)	Unencumbered Balance (5)			Authorized Cost (8)	Commitments & Payments (9)	Unencumbered Balance (10)	
C6601	Rushdale	1,230,750.00	1,215,748.80	15,001.20			1,230,750.00	1,215,748.80	15,001.20	Uncommitted Balance at July 15/81
C6604	Beasley	980,700.00	912,656.89	68,043.11	57,000.00	(1)	1,037,700.00	912,656.89	125,043.11	806,513.68
C6605	Durand	137,910.00	37,903.63	100,006.37			137,910.00	37,903.63	100,006.37	(57,000.00)
C6606	Corktown	247,400.00	166,851.80	80,548.20			247,400.00	166,851.80	80,548.20	
C6607	Stinson	235,000.00	106,583.56	128,416.44			235,000.00	106,583.56	128,416.44	
C7600	Landsdale	776,500.00	579,558.36	196,941.64	(50,000.00)	(2)	726,500.00	579,558.36	146,941.64	50,000.00
C9602	Kelth	155,000.00	47,098.36	107,901.64			155,000.00	47,098.36	107,901.64	
C0602	Crown Point East	150,000.00	33,152.00	116,848.00			150,000.00	33,152.00	116,848.00	
C0603	McAnulty	75,000.00	29,144.75	45,855.25	15,000.00	(3)	90,000.00	29,144.75	60,855.25	(15,000.00)
	Crown Point West				250,000.00	(4)	250,000.00		250,000.00	(250,000.00)
	Homeside				250,000.00	(5)	250,000.00		250,000.00	(250,000.00)
	60 Elgin Street				60,000.00	(6)				(60,000.00)
		3,988,260.00	3,128,698.15	859,561.85	582,000.00		4,510,260.00	3,128,698.15	1,381,561.85	224,513.68

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of The Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its TWENTIETH Report and respectfully recommends:-

1. That approval be given to Zoning Application 81-38, Mario Cupido, owner, requesting a modification of zoning regulations for lands located at 201 James Street South as shown on the plan marked as APPENDIX "A" attached, on the following basis:

i) that the "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations applicable to the lands located at 201 James Street South be modified so as to permit the following variances and restrictions:

(a) Notwithstanding Section 11A(1)(i) of By-law No.6593, the following additional use shall be permitted:

1. a restaurant use

ii) that the amending By-law be added to Section 19(b) of the Zoning By-law as Schedule S-761, and that the subject land of Zoning District Map E-5 be notated S-761.

iii) that the City Solicitor be directed to prepare a By-law to amend Zoning By-law No.6593 and Zoning District Map E-5 and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk.

iv) that the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

EXPLANATORY NOTE:

The purpose of the By-law is to modify the "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District provisions applicable to the lands located at 201 James Street South to permit, in addition to the existing uses, a restaurant use.

2. (A) That approval be given to Zoning Application 81-40, Jerry Wannop, prospective owner, requesting a change in zoning from "Lc" (Planned Development Commercial) District to "H" (Community Shopping and Commercial, etc.) District to permit a restaurant and private club use within the existing building on lands located at 81 to 89 Cannon Street West, as shown on the plan marked APPENDIX "B" attached, on the following basis:

i) that the subject lands be rezoned from "Lc" (Planned Development - Commercial) District to "H" (Community Shopping and Commercial, etc.) District, modified to include the following variances and

restrictions

- (a) that notwithstanding Section 18(6)(ii) of By-law No.6593, a loading space measuring 3.7m (12') x 9.0m (30') shall be provided on the site.
- (b) that all permitted uses be restricted to within the existing buildings.
- ii) that the amending By-law be added to Section 19(b) of the Zoning By-law as Schedule S-762, and that the subject land on Zoning District Map W-4 be notated S-762;
- iii) that the City Solicitor be directed to prepare a By-law to amend Zoning By-law No.6593 and Zoning District Map W-4 and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk.
- iv) that the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

EXPLANATORY NOTE:

The by-law will provide for a change in zoning from "Lc" (Planning Development - Commercial) District to "H" (Community Shopping and Commercial, etc.) District for properties located at 81 to 89 Cannon Street West, as shown on Zoning District Map W-4.

The purpose of the change in zoning is to permit the existing building at 89 Cannon Street West to be used for restaurant and private club uses. Other permitted uses within the "H" District will be permitted within the existing buildings on the site.

- (B) That application to the Ontario Municipal Board for approval of the subject Zoning By-law be withheld until such time as the following condition has been satisfied.
 - i) that the applicant enter into an agreement whereby he agrees to convey to the Region, should the subject lands be redeveloped, a 3 m (9.84') strip of land along the southerly limit of Cannon Street West for road widening purposes.
- 3. (A) That approval be given to Zoning Application 81-41, 426337 Ontario Limited, owner, requesting a modification to the established "HH" (Restricted Commercial) District for the property located at No.863 Upper Wentworth Street, as shown on the plan marked as APPENDIX "C" attached, on the following basis:
 - i) That notwithstanding the provisions of section 2 clause 1 of By-law No.6593 as amended by By-law 80-107 a restaurant use shall be permitted.
 - ii) That the amending by-law be added to Section 19(b) of the Zoning By-law as Schedule S-701a and that the subject land on Zoning District Map E-27 be notated S-701a.

iii) That the City Solicitor be directed to prepare a by-law to amend the Zoning By-law No.6593 and Zoning District Map E-27 and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk.

iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

EXPLANATORY NOTE:

The purpose of the By-law is to permit a modification to the established "HH" (Restricted Commercial) District to permit a restaurant use on property located at No.863 Upper Wentworth Street.

At the present time, under the provisions of amending By-law 80-107, a restaurant use is prohibited.

(B) That application to the Ontario Municipal Board for approval of the subject zoning by-law be withheld until such time as the following condition has been satisfied:

i) That the applicant purchase for the purpose of providing access to Mall Road for the proposed restaurant use, a parcel of City owned land at the rear of No.863 Upper Wentworth Street.

4. That approval be given to City Initiative 81-V to modify the established "HH" (Restricted Commercial) District for a City-owned parcel of land located at the rear of No.863 Upper Wentworth Street, as shown on the plan marked as APPENDIX "D" attached, on the following basis:

i) That notwithstanding the provisions of section 2 clause 1 of By-law No.6593 as amended by By-law 80-107 a restaurant use shall be permitted.

ii) That the amending by-law be added to Section 19(b) of the Zoning By-law as Schedule S-701a and that the subject land on Zoning District Map E-27 be notated S-701a.

iii) That the City Solicitor be directed to prepare a by-law to amend the Zoning By-law No.6593 and Zoning District Map E-27 and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk.

iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

EXPLANATORY NOTE:

The purpose of the By-law is to permit the subject lands to be used in conjunction with abutting lands to the west fronting onto Upper Wentworth Street for restaurant purposes. At the present time, under the provisions of amending By-law 80-107, a restaurant use is prohibited.

In addition, the subject parcel of land will provide for an alternative means of access to the restaurant site from Mall Road.

5. That approval be given to City Initiative 81-T, to amend Zoning By-law No. 6593 with respect to the permitted uses in Section 13A (Designed Shopping Centre) as follows:

i) That subsection (1) of Section 13A of By-law No. 6593 be amended by adding a new clause under the "COMMERCIAL USES" heading, to the following effect:

(iic) A second-hand goods shop, provided that:

1. all display, sale and storage of goods is only within the principal building; and
2. no second-hand pipe or other plumbing or building materials or fixtures are kept for sale, offered for sale or sold upon the premises, nor any second-hand motor vehicle or bicycle parts, tires or accessories, nor any scrap metal or salvaged materials.

ii) That the City Solicitor be directed to prepare a By-law accordingly and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk.

iii) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

EXPLANATORY NOTE:

The purpose of the by-law will be to provide an amendment to Zoning By-law No. 6593 so as to make "Second-hand Goods Shops" a permitted use in the "G-1" (Designed Shopping Centre) District.

6. (a) That approval be given to Application SA 79-17, Tyka Investments Limited, owner, to establish a draft plan of subdivision, (no name), located south of the T.H. & B. Railway and the east side of Kimberly Drive and Kenilworth Avenue, as shown on the plans marked as APPENDIX "E" and APPENDIX "F" attached, subject to the following conditions:

- i) that this approval apply to the plan prepared by A. T. McLaren, dated June 3, 1981, showing 9 lots and revised to show Block 10.
- ii) that the streets be named to the satisfaction of the City of Hamilton and the Region of Hamilton-Wentworth.
- iii) that the proposed subdivision conform with the restricted area by-law for the City of Hamilton approved by the Ontario Municipal Board under Section 35 of The Planning Act.
- iv) that any easements as may be required for utility or drainage purposes be granted to the appropriate authority.
- v) that all hydro utilities be installed underground.
- vi) that the owner provide the City of Hamilton and the Region with a certified list showing the net area of each lot and block in the final plan.

vii) that the owner convey land in the amount of 5% of the land included in the plan to the municipality for park purposes pursuant to the provisions of section 33(5)(a) of The Planning Act. Alternatively, the City may require a cash payment in lieu of conveying land in the amount of 5% of the land included in the plan to the municipality for park purposes.

viii) that prior to the issuance of building permits, the Building Department of the City of Hamilton be satisfied with regard to: (1) the stability of all slopes located within and adjacent to the subject lands and (2) the depth of all footings for residential units proposed for the subject lands as determined by soil studies.

ix) that the owner satisfy the concerns of the Toronto, Hamilton and Buffalo Railway, the Ministry of the Environment and the Hamilton Region Conservation Authority.

x) that in order to provide public watermain and sewer services to Block 10, a 12 m side easement be established in favour of the Region and be located in the vicinity of the common property line between Lots 3 and 4 and extend from the proposed cul-de-sac to the east limit of Block 10.

Alternatively, the servicing of Block 10 may be accomplished by the installation of private services in the above-noted location. In the event that this latter arrangement is employed, the services for Block 10 to the cul-de-sac must be protected by a private easement in favour of Block 10.

xi) That the owner agree in writing to satisfy all the requirements financial and otherwise, of the City of Hamilton.

(b) That a subdivision agreement be entered into by the Corporation of the City of Hamilton and the Owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to Application SA 79-17, draft plan of subdivision located on the south side of the T. H. & B. Railway and the east side of Kimberly Drive and Kenilworth Avenue, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by the City Council.

7. (a) That the City of Hamilton approve a By-law to remove part-lot control for Lots 1 to 38 inclusive on Plan M-286, "Gilkson Woods Addition-Phase 1".

(b) That the City of Hamilton approve a By-law to remove part-lot control for Lots 11 to 24 inclusive and Lots 26 to 57 inclusive. Plan M-309, "Almas Gardens (Phase Two)".

(c) That application be made to the Region to approve the By-laws removing part-lot control on the above-noted lots.

8. That approval be given to application SA 81-02, Anna Maria Heights, DiCenzo Construction Company Limited, owner, to establish a draft plan of condominium located east of Quigley Road and north of Tindale Court, as shown on the plan marked as APPENDIX "G" attached, subject to the following:-

- (a) That this approval apply to the plan prepared by A. J. Clarke and Associates dated March 19, 1981, showing 31 units.
- (b) That the plan of condominium conform with the approved site plan for the development, prior to final approval.
- (c) That the owner provide a right-of-way over Block "C", Plan M-69, to provide access to Tindale Court and Quigley Road, from the condominium in favour of the Corporation prior to approval of the final plan.
- (d) That the owner satisfy all requirements financial and otherwise of the City of Hamilton.

9. That approval be given to application SA 81-01, Anna Capri Manor, DiCenzo Construction Company Limited, owner, to establish a draft plan of condominium located at the south-east corner of Anna Capri Drive and Upper Gage Avenue, as shown on the plans marked as APPENDIX "H" attached, subject to the following conditions:

- (a) That this approval apply to the plan prepared by A. J. Clarke and Associates dated March 19, 1981, showing 29 units.
- (b) That the plan of condominium conform with the approved development agreement prior to final approval.
- (c) That the owner satisfy all requirements financial and otherwise of the City of Hamilton.

10. That approval be given to application SA 81-03, Rita Manor, DiCenzo Construction Company Limited, owner, to establish a draft plan of condominium located along the east and west sides of Woodman Drive north of Queenston Road, as shown on the plans marked as APPENDIX "I" attached, subject to the following conditions:

- (a) That this approval apply to the plan prepared by A. J. Clarke and Associates dated March 18, 1981, showing 44 units.
- (b) That the plan of condominium conform with the approved site plan by-law for the development, prior to final approval.
- (c) That the owner satisfy all requirements financial and otherwise of the City of Hamilton.

11. That condition (b) of draft approval for "Anna Manor Place" draft plan, Application SA 79-19, D'Cenzo Construction Company Limited, owner, located on the east side of Tindale Court, not be deleted. The owner shall install a five-foot chain link fence to the specifications of the City of Hamilton between the open space area and the proposed condominium. The cost of the fencing, including materials and installation shall be shared equally by the subdivider and the City.

12. That the agreement registered on title between the City of Hamilton and

Hamilton Bakeries Limited, (a predecessor in title to General Bakeries Limited), dated March 9, 1926, and registered as instrument number 284235 be discharged, and that the City Solicitor be advised to prepare the necessary release documents.

13. That the Offer to Purchase, Block 101, comprising an area of approximately 64,058 sq. ft. subject to the closing and stopping-up of a portion of Napier Street from Bay Street North comprising approximately 13,365 sq. ft. and the sale thereof to One Hundred Market Limited at a purchase price of \$1,370,000.00 be approved. A certified deposit cheque in the sum of \$25,000.00 is being held by the City Treasurer pending Council approval. This transaction includes special building covenants and agreements as set out below:-

"14. It is understood and agreed that:

- (a) Development of the property is subject to "Site Plan Control" and such plans for said development shall be approved by the Vendor prior to closing this transaction.
- (b) The Purchaser proposes to cause the said lands (and certain other lands now owned by the Purchaser and abutting the south limit of the portion of Napier Street included in the said lands) to be developed and used as a shopping centre containing approximately 47,000 square feet of ground floor, gross leaseable retail area including a supermarket of approximately 36,500 square feet (the "Project"). Unless all permits, approvals and consents necessary and appropriate for the Project as proposed by the Purchaser have been provided and unless all development, site plan and other municipal and governmental agreements necessary and appropriate for the Project as proposed by the Purchaser have been entered into on or before closing the Purchaser shall have the option, exercisable at the Purchaser's sole discretion, to terminate the agreement constituted by acceptance hereof and upon such termination the deposit shall be returned without interest or deduction and neither party shall be further liable to the other. The Purchaser shall have the option of extending the closing date for a period or periods which in the aggregate do not exceed four months, in order to obtain or enter into all permits, approvals, consents and agreements necessary and appropriate for the development of the Project and shall have the option to terminate this agreement if all such permits, approvals, consents and agreements have not been obtained or entered into on or before closing. The Purchaser covenants that the construction of the Project shall be substantially completed (as certified by the Architect for the Project) within 14 months from the date closing occurs. Notwithstanding the foregoing, if the Purchaser shall be bona fide delayed or hindered in or prevented from completing the Project by reason of strikes, lockouts, labour disputes or slowdowns, inability to procure materials or services, failure of power, restrictive governmental laws or regulations, riots, insurrection, sabotage, unusual delay by common carriers or unavoidable casualties, fire, financial disability, rebellion, war, act of God, or other reason beyond the control of the Purchaser, then performance of such covenant shall be excused for the period of the delay and the period for the performance of such covenant shall be extended for a period equivalent to the period of such delay. If the Purchaser does not comply with such covenant within

the time so provided, the Purchaser shall, at the request of the Vendor, if given within 30 days of the date fixed for performance of such covenant, sell the said lands to the Vendor free and clear of all charges, encumbrances, liens, claims or adverse interests created by the Purchaser whatsoever at the sale price herein, without interest (less arrears of realty taxes, local improvement charges, any penalties and interest accruing thereon for the period after the date closing occurs) and without increase or compensation for costs of any improvements, additions, alterations, services or structures on, in or under the said lands.

15. The Purchaser agrees that the restrictions, covenants and agreements in paragraph 14 shall not merge upon the closing of this transaction but shall continue in full force and effect for the benefit of the Vendor, its successors and assigns.

16. The Purchaser agrees that the deed to him which he shall execute shall be subject to and include the restrictions, covenants and agreements in paragraph 14."

14. Approval of the repurchase of a 7'0" strip of land by the City of Hamilton, being part of Part 1, Plan SS-1614 Surveys now known as Part 1 on Plan 62R-5928 for the sum of \$3,772.92 from Hamilton Hydro Electric System.

EXPLANATORY NOTE:

In adopting Item 12(b) of the 31st Report of the Board of Control, City Council on June 24, 1980, approved the sale of a six acre parcel of land in the Hamilton Mountain Industrial Park No.3 to Hamilton Hydro Electric System. On August 13, 1980 this transaction was completed.

In applying for their development agreement (No.8134) the Regional Engineering required the dedication of a 7' widening on Nebo Road as a condition of the development agreement.

As the City was not aware of this proposed widening at the time of the sale, due to the fact that the plan of subdivision had not been approved, which would have taken into account the widening, the Committee is of the opinion that it would only be fair for the City to repurchase the 7' from Hamilton Hydro Electric System for the same rate per acre as the original sale price (\$45,000 per acre).

15. That the City of Hamilton purchase for the sum of \$1.00, the lands as shown on the attached plan marked APPENDIX "J" from the Plantation Motor Hotel Limited required to facilitate the final registration of the Templemead No.1, Plan of Subdivision.

That the City of Hamilton sell one-half interest in the said lands to 250-251 Holdings Limited and 250-252 Holdings Limited and one-half interest to 448947 Ontario Limited for the sum of \$1.00 plus \$200 for legal fees payable to the City of Hamilton. These lands are required to facilitate the registration of Templemead No.1, Plan of Subdivision.

This particular Offer to Purchase transaction includes special covenants, agreements and restrictions which are set out as follows:-

"It is understood and agreed that the Purchaser will place the subject lands shown in red on the attached plan into the proposed plan of subdivision known as Templemead No. 1, and they will form part of Templemead Drive, said subdivision to be registered by October 16th, 1982. If in default, and if required by the City, the said lands will be reconveyed to the City of Hamilton immediately following October 16th, 1982, for the sum of \$1.00 without interest.

The Purchaser will establish a 1' reserve along the southern limit of the said lands in order to recover the cost of services and the cost of acquiring the land required to establish Templemead Drive.

The Purchaser agrees to sign the deed to them to give effect to the said conditions and clauses.

It is understood and agreed by the Purchaser and the Vendor that all conditions, covenants, warranties and statements included in the proposed subject agreement and their attached schedules will not merge on closing of the transaction but will survive after the date of closing."

16. That the City of Hamilton give a Quit Claim deed to the present owners of the property at 55 Milburn Road, to release the property from the construction promises, as all requirements have been satisfied.

17. That the Building Commissioner be authorized to issue Demolition Permits for the demolition of residential buildings as outlined below for which application has been processed through the Building Department and the Planning and Development Committee:-

114 Hillyard Street

1 and 3 Lyndhurst Street

4 Lyndhurst Street

6 Lyndhurst Street

1656 Upper James Street

18. That the following resolution respecting Property Standards Procedures be adopted:

WHEREAS Section 36 of the Planning Act as amended, provides for enactment of By-laws prescribing standards for the maintenance and occupancy of property within a municipality and,

WHEREAS at each stage of the enforcement procedure prescribed in Section 36 of the Planning Act, a re-inspection is required to establish the status of the property and,

WHEREAS each inspection has to be financed out of the general tax revenue, and,

WHEREAS many appeals are launched for insufficient reason and are to be labelled frivolous and,

WHEREAS it is desirable to reduce the impact on the general tax revenue to the greatest extent possible in the spirit of "pay for service" and,

WHEREAS a great number of citizens in the community correct deficiencies

on their property after being made aware thereof and,

WHEREAS great difficulties in the enforcement are experienced with absentee landlords which cannot be found or use every avenue of appeal to gain time,

BE IT RESOLVED that the Government of Ontario be requested to amend Section 36 of the Planning Act to provide for:

- (a) The right of the municipality to charge inspection fees to be established by Council, for every inspection necessary after the second inspection.
- (b) The monies so accumulated, to be registered on the tax roll and recoverable in like manner as taxes.
- (c) That the above Resolution be forwarded to all municipalities over 100,000 people and the local M.P.P.'s for support and endorsement.

19. That the City Solicitor be authorized and directed to prepare a by-law for the demolition of the building and the clearing of the lands at 416 Wilson Street, Hamilton, pursuant to Subsection 21 of Section 36 of the Planning Act.

20. That the City Solicitor be authorized and directed to amend By-laws 75-61 and 75-175 to exempt the erection of a 44 square foot ground sign to be located at the front of the property line at 447 Main Street West.

21. Approval of the following additions to a Contract previously approved by City Council:

(a) Pigott Construction Ltd. re: Hamilton Convention Centre, to cover the materials and labour required to -

- (1) install wood guard rails in Press Room 238 and to sidelight of Door No.137B
- (2) Remove glass from door frame 137A
- (3) Close in opening at ceiling expansion joint in Storage Room 255 and Vestibule 110D
- (4) Install metal and wood handrail at west end arcade level,

in the total amount of \$5,262.03, in accordance with Change Order No.1105.

(b) Pigott Construction Ltd. re: Hamilton Convention Centre, to cover the materials and labour required to install exit lights at various locations throughout the Convention Centre. Also included is the painting and patching work required after installation. The additional exit lights are the requirement of the Building Department. The total cost to the City will be \$3,947.82, in accordance with Change Order No.1106.

- (c) Pigott Construction Ltd. re: Hamilton Convention Centre, to cover the materials and labour required to provide a concrete curb and finished wooden handrail with steel supports at the MacNab Street entrance to the Convention Centre, required so that the entrance conforms to the existing sidewalk structure without creating a potential safety hazard, in the total amount of \$1,464.50, in accordance with Change Order No.1109.
- (d) Pigott Construction Ltd. re: Hamilton Convention Centre, to cover the material and labour required to provide additional 2 hour drywall fire separations to conform to the requirements of the City Building Department. Drywall was required and installed on back side of elevator control panel in garbage Room No.108, on both sides of wall along ceiling in dish holding Room No.322A, to enclose two ducts above ceiling in Room 350A and for blocking off top of C.U.P. risers above banquet hall ceiling. The total cost to the City will be \$2,213.84, in accordance with Change Order No.1115

22. The Province is having the Provincial Office Tower constructed and, pursuant to an agreement dated January 6, 1976, is having the Convention Centre built for the City. As the work has proceeded, the City has been making installment payments to the Province and the Province, in turn, has been making payments to the general contractor. Recently a sub-contractor registered a lien on title for \$152,248.00. The cost of the entire project is about 27 million dollars and the City Solicitor has recommended that under the Mechanics' Lien Act, the City hold back 15% of this amount. The holdback would amount to some four million dollars. The Province has requested the City to continue to make progress payments, which could not be done if the City were to hold back the full four million dollars. The Committee notes that under the agreement with the City, the Province has undertaken to indemnify the City against any Mechanics' liens that may arise.

The Committee therefore recommends that the City Treasurer be authorized to continue to make progress payments to the Province without making the statutory holdback and even though a lien, or liens, may be registered against the title, since discharges of them will be provided by the contractor to the Province.

23. In connection with the Library-Farmers' Market project, it is noted that a lien by a sub-contractor has been registered on title. Three other companies have completed work and have requested payment as follows:-

- (a) Goodram Brothers - \$11,321.99
- (b) Alpha-Vico Canada Ltd. - \$38,367.08
- (c) Eaton's Contract Sales - \$54,125.48

The City Solicitor recommends that none of the holdbacks be released until the Mechanics' lien has been discharged. However, the lien claimant has not done any work for the three companies mentioned above. The Committee has requested the Finance Committee to make provision for the payment of the lien, estimated at \$12,890.50 plus costs, in the event that it is established that the City is liable to the lien claimant, and therefore recommends that the City Treasurer be authorized to release the above amounts to the three named companies.

24. Approval of the list of applicants submitted herewith and authorization for the Department of Community Development to process grants and/or loans in an amount not to exceed \$7,500.00 with the actual amount of grant or loan to be determined by inspection of the property under the Property Standards By-law 74-74 and pursuant to By-law 78-113.

That the officials of the Corporation involved in this Programme be authorized to take all action that is necessary to process these loan applications and that the Mayor and City Clerk be authorized to execute on behalf of the City any documents required in connection with the Hamilton Rehabilitation Programme:

S. Hassen
171 Ivon Avenue

F. Constable
98 Selkirk Avenue

S. Heroux
40 Bayfield Avenue

25. Approval of the list of applicants submitted herewith and authorization for the Department of Community Development to process grants and/or loans in an amount not to exceed \$7,500.00 with the actual amount of grant or loan to be determined by inspection of the property under the Property Standards By-law 74-74 and pursuant to the Housing Development Act Regulation 688/74.

That the officials of the Corporation involved in this Programme be authorized to take all action that is necessary to process these loan applications and that the Mayor and City Clerk be authorized to execute on behalf of the City any documents required in connection with the Ontario Home Renewal Programme:

- | | | |
|--|--|--|
| 1. C. Barlow
146 Terrace Drive | 8. P. Wheeler
12 Bobolink Road | 15. R. Ellas
31 Craigmillar Ave. |
| 2. G. McCarthy
17 Cumberland Avenue | 9. J. Richmond
241 East 43rd St. | 16. S. Klimec
1313 Cannon St. E. |
| 3. W. Baikie
233 East 27th Street | 10. Mrs. L. Shapiro
14 Norwood Road | 17. B. Blanchard
175 Welbourn Dr. |
| 4. S. Crosbie
43 Oxford Street | 11. A. Humenik
156 Garside Ave. N. | 18. N. Beldham
32 Afton Avenue |
| 5. B. Callura
173 Barons Ave. N. | 12. M. Pauline
60 East 22nd St. | 19. E. Ropriques
142 Grant Avenue |
| 6. D. Nagy
153 Cathcart St. S. | 13. P. Lehman
142 Rosslyn Ave. N. | 20. I. Capretta
37 Gladstone Ave. |
| 7. B. Brown
243 West 19th Street | 14. S. Lewis
173 Paradise Rd. N. | 21. J. Thompson
555 Roxborough Ave. |
| | 22. F. Heard
766 Upper Wellington | |

26. i) That an additional sum of \$40,000.00 be allocated to complete renovations to St. Matthew's House, 414 Barton Street East, in the Landsdale Neighbourhood; and
- ii) That the City Solicitor be hereby authorized and directed to amend the Agreement, between The City and The Synod of The Diocese of Niagara, Anglican Church of Canada, dated 1980 October 20, to:
- (a) change the principal sum to read: \$280,911.00;
 - (b) change the "amortization period" for the non-interest bearing, forgivable mortgage from twenty (20) years, to twenty three (23) years; and
 - (c) in consideration of (a) and (b) above, amend the per diem rate of forgiveness accordingly, along with any other items or clauses pertaining thereto.
- iii) That the costs referred to in item (ii) above be financed through the Landsdale Neighbourhood Improvement Programme (N.I.P.)

27. That in respect of re-constructing and re-surfacing the parking lot at Victoria Park, pursuant to the provisions of the Neighbourhood Improvement Programme (N.I.P.) additional costs incurred by The Regional Municipality of Hamilton-Wentworth Department of Engineering (i.e. \$7,548.51) be financed pursuant to the N.I.P.

28. (i) That the Director, Department of Community Development, be hereby authorized and directed to make a submission to The Minister of Municipal Affairs and Housing, Province of Ontario, indicating, in accordance with the municipal eligibility criteria, the intent of the City of Hamilton to participate in the Ontario Neighbourhood Improvement Programme (O.N.I.P.) for the two (2) Provincial, fiscal funding years of '81-'82 and '82-'83;
- (ii) That, for fiscal funding year '81-'82, the Homeside Neighbourhood be designated, pursuant to the provisions of the O.N.I.P., with a gross project allocation of two million, two hundred and two thousand, two hundred and fifty dollars (\$2,202,250.00);
- (iii) That, for fiscal funding year '82-'83, the Normanhurst and McQuesten West Neighbourhoods be designated, pursuant to the provisions of the O.N.I.P., with a gross project allocation of two million, three hundred and twenty eight thousand, seven hundred and fifty dollars (\$2,328,750.00);
- (iv) That, in respect of (ii) above, provision be made in the 1982-1986 Capital Budget for the City's share of the O.N.I.P. at a cost of one million, one hundred and one thousand, one hundred and twenty five dollars (\$1,101,125.00); and,
- (v) That, in respect of (iii), above, provision be made in the 1983-1987 Capital Budget for the City's share of the O.N.I.P. at a cost of one million, one hundred and sixty four thousand, three hundred and seventy five dollars (\$1,164,375.00).

NOTE: For the information of Council, since the Federal Government withdrew from the Neighbourhood Improvement Programme (N.I.P.) and the N.I.P. component of the Community Services Contribution Programme (C.S.C.P.), the Province of Ontario has agreed to continue its previous financial commitment to neighbourhood revitalization on a fifty/fifty cost-sharing basis with municipalities.

Final designation of the proposed O.N.I.P. areas will be made pursuant to the decision of The Minister regarding the City's submission.

29. That the City's standard Subdivision Agreement respecting Certificates of Completion and the deposit, be amended -

- (a) to require the subdivider to register the Certificate of Completion of Maintenance of Services when issued by the City;
- (b) to require the subdivider to deposit with the City Treasurer, prior to the execution of the Subdivision Agreement by the City, a sum to cover the estimated cost of registration of the Certificate;
- (c) to drop the provision for Certificates of Completion of Installation of Services; and
- (d) to require that the subdivider make a deposit of 100% of the estimated cost of services to be installed.

That \$4,500.00 be transferred from Contingency Account to the Legal Department's Account 0325-0155 to cover the cost of registering Certificates of Completion to the end of 1981, with respect to existing subdivisions.

30. That the following policy be adopted respecting stub streets:

Where a draft plan of sub-division has been approved and a street is required to be extended beyond the limits of the subdivision to reach an existing public highway (street) or otherwise, the extension is called a "Stub Street". If the City decides to assist the subdivider with respect to stub street(s), it will do so in accordance with the following procedure:

- (1) (a) Where the subdivider acquires the land for the stub street, but does not own abutting lands on either side, the City will compensate the subdivider for the full value of the land in the street;
 - (b) Where the subdivider acquires the land for the stub street, and does own lands abutting on one side, the City will compensate the subdivider for the value of the land in the portion of the half street which does not abut his lands;
 - (c) "The value of the land" mentioned in clauses (a) and (b) will be the lower of two estimates made by independent appraisers, chosen by the City; the appraisal fee to be paid by the subdivider.
- (2) Where the subdivider demonstrates to the Director of Real Estate that

after making a reasonable attempt, he is unable to acquire all or part of the lands, the City, on the recommendation of the Transport and Environment Committee, will attempt to do so.

- (3) (a) In the circumstances in 1(a), the City will assume the cost of City services;
- (b) In the circumstances in 1(b), the City will assume the cost of City Services attributable to the portion of the half street on which the subdivider's lands do not abut.
- (4) The subdivider will establish, and convey to the City, one foot reserves along the open side(s) of the stub street.
- (5) The land and servicing costs assumed by the City will be recovered at the time when the adjoining lands are developed. The recovery for services will be limited to the cost of local services.

NOTE:

I. The City's share of the cost of land and services would be considered by the Treasury Department as follows:-

- (a) The cost of services would be taken from the Reserve for Services through Unsubdivided Lands.
- (b) The cost of land will be taken from the Reserve for Property Purchases.

II. Item 29 of the Report of the Board of Control dealing with "Perimeter Streets" adopted by City Council on August 30, 1960, is hereby rescinded, since the matters dealt with therein are covered by these recommendations.

31. That leave be granted to introduce the following Bills:-

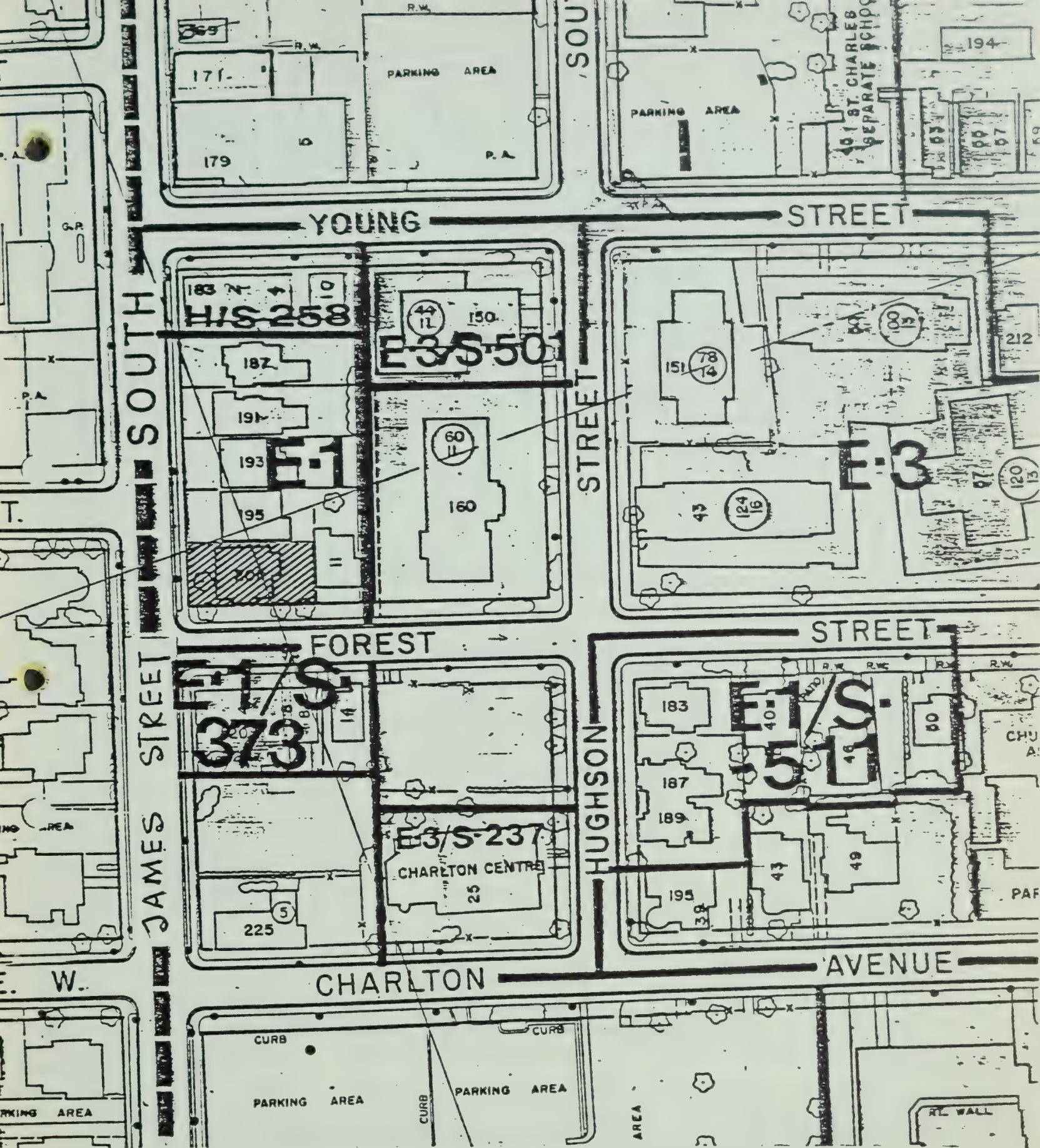
- (a) Bill D-107 - a By-law to amend Zoning By-law No.79-226 respecting land located on the south side of Rymal Road West in the vicinity of Garth Street
- (b) Bill D-108 - a By-law to repeal Zoning By-law No.80-092 respecting land bounded by Kenilworth Avenue, Kimberly Drive, Dunkirk Drive and the T. H. & B. Railway
- (c) Bill D-109 - a By-law to amend Zoning By-law No.6593 respecting lands located at the rear of Municipal Numbers from and including 905 to 939 Stone Church Road East
- (d) Bill D-110 - a By-law to designate an Improvement Area comprised of:-
 - 1. King Street East, both sides, from James Street on the West to Mary Street on the East; and
 - 2. John Street, both sides, from Main Street on the south to King William Street on the North; and
 - 3. Catharine Street, both sides, from Main Street on the South to King William Street including No.80 King William Street on the north.

- (e) Bill D-111 - a By-law to amend Metrication By-law No.80-049 respecting the calculation of yard requirements
- (f) Bill D-112 - a By-law to amend Zoning By-law No.6593 respecting Motion Picture Studios and Theatres
- (g) Bill D-113 - a By-law to amend Zoning By-law No.6593 respecting Automobile Service Stations
- (h) Bill D-114 - a By-law to amend Zoning By-law No.78-269 respecting land on the east side of Upper Wentworth Street between Stone Church Road East and Rymal Road East
- (i) Bill D-115 - a By-law to Repeal Zoning By-law No.79-172 respecting parts of properties located at Municipal Numbers 1151, 1155 and rear of 1165 and 1171 Upper James Street and property located at Municipal Number 1157 Upper James Street
- (j) Bill D-116 - a By-law to amend Zoning By-law No.6593 respecting properties located at Municipal Nos. 1151, 1155, 1157, 1165 and 1171 Upper James Street
- (k) Bill D-118 - a By-law to amend Zoning By-law No.81-190 respecting land located at the south-west corner of Upper Gage Avenue and Stone Church Road East
- (l) Bill D-119 - a By-law to amend Zoning By-law No.81-66 respecting land located at the rear of Municipal Number 685 Main Street East
- (m) Bill D-120 - a By-law to amend Subdivision Control By-law No.9375 respecting Registered Plan No.505

Respectfully submitted

JDT:bg
August 19, 1981

Alderman W. M. McCulloch
Chairman



APPENDIX

A

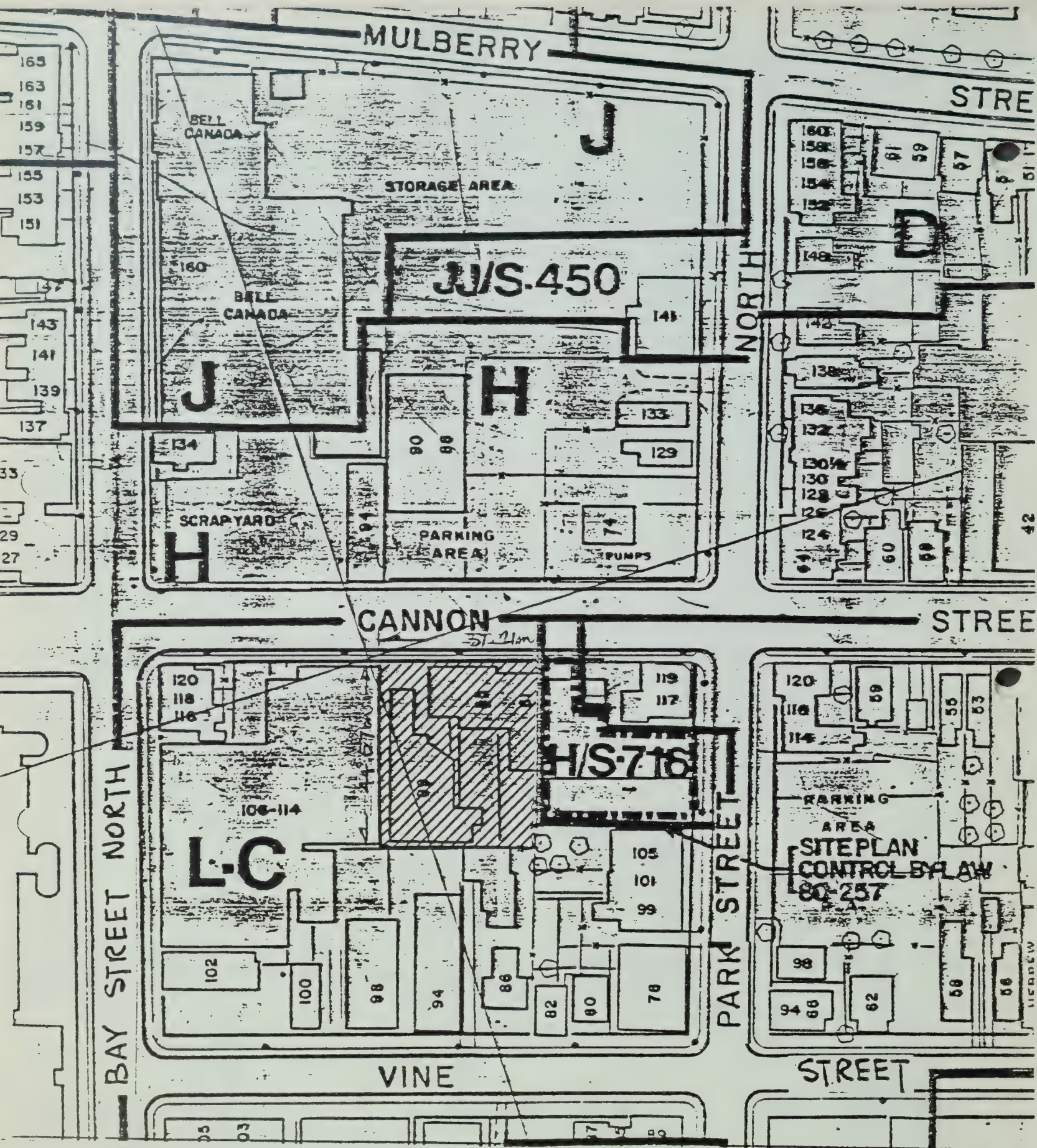
LEGEND

APPENDIX

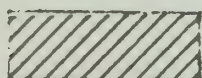
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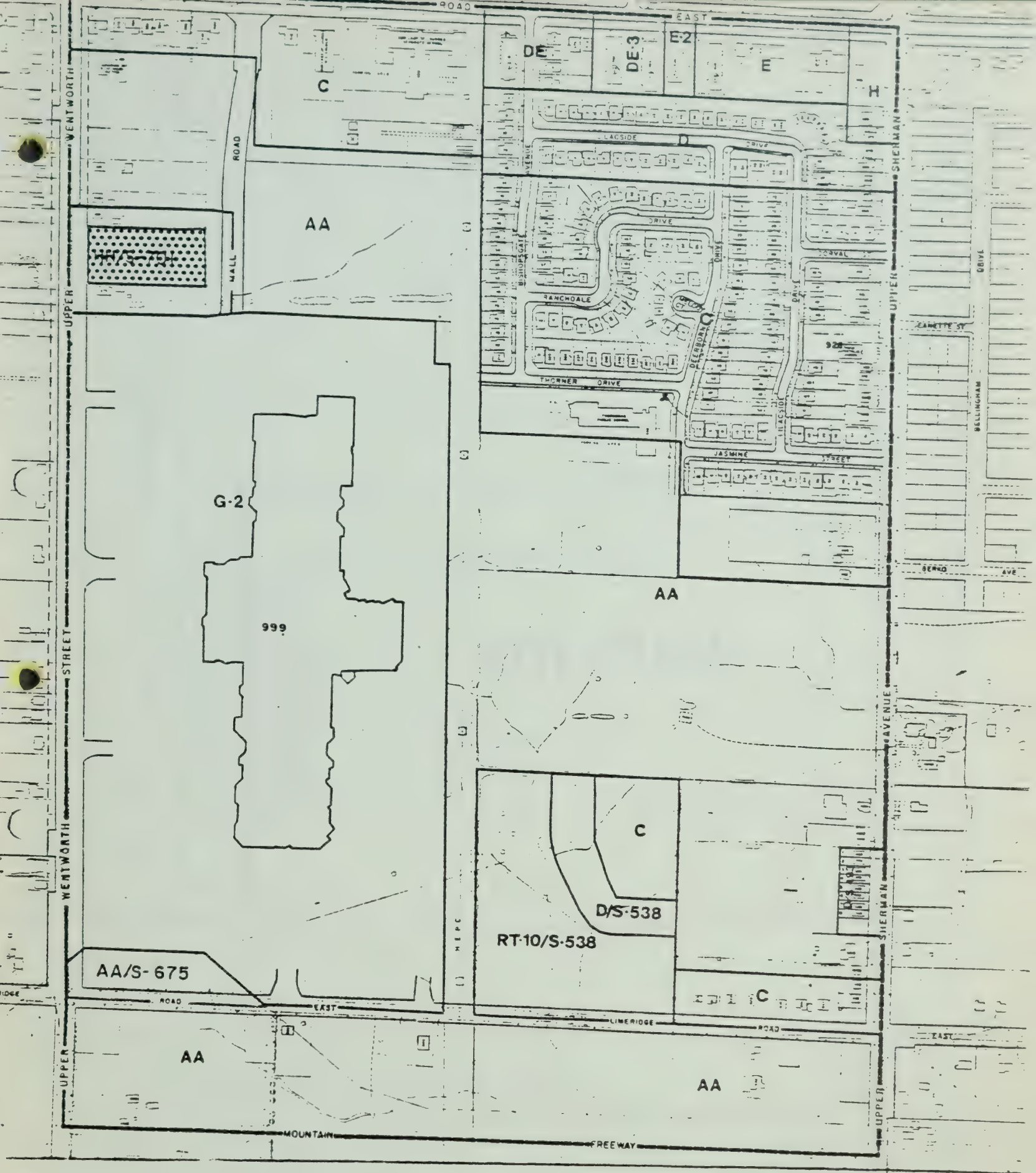
Change in zoning from "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District to "E-1" (modified).



LEGEND



CHANGE IN ZONING FROM "L-C" (PLANNED DEVELOPMENT - COMMERCIAL) DISTRICT TO "H" (COMMUNITY SHOPPING AND COMMERCIAL, ETC.) DISTRICT.



LEGEND



Site of proposed sit-down family restaurant.

2A 81-41

WENTWORTH STREET

ROAD

UPPER

MALL

841

849

853

875

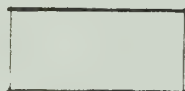
HH/S-701

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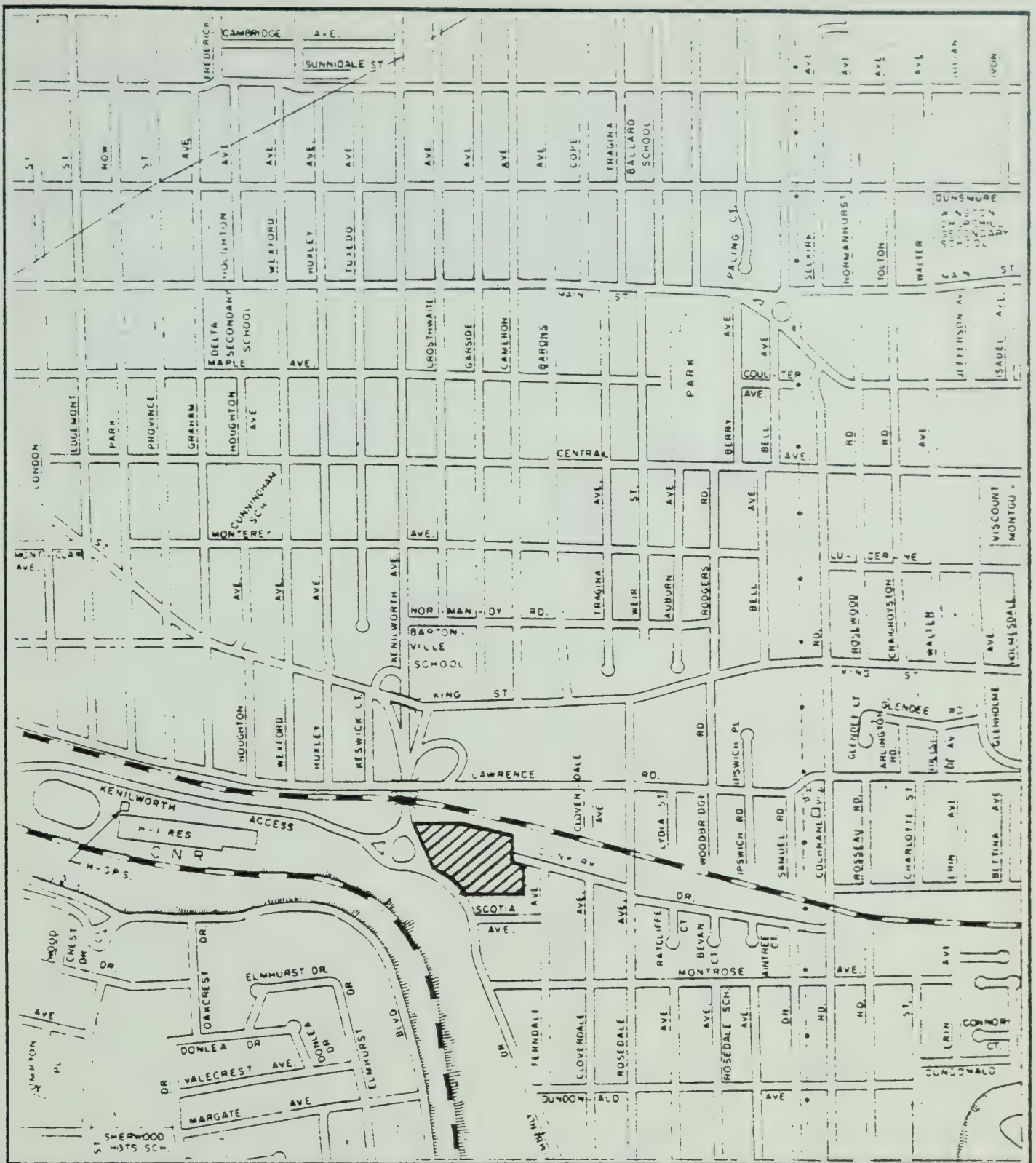
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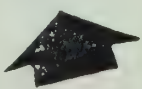
13.8 m ±

21.81-1

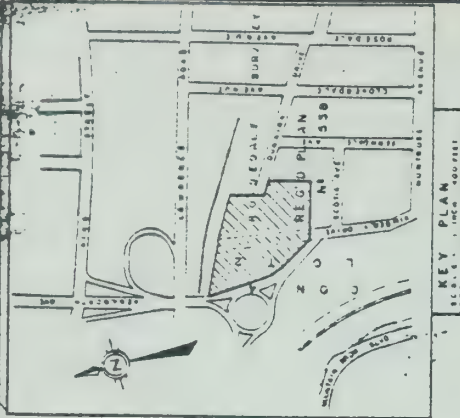


SITE OF THE APPLICATION



<p align="center">Location Plan For</p> <p align="center">Part of Kimberly Dr. & Dunkirk Dr. and</p> <p align="center">all of Lots 61-72 and 79 & 80 and</p> <p align="center">Part of Lots 77 & 78 and Part of</p> <p align="center">Lot 2, Con. 4</p> <p align="center">In the City of Hamilton</p> <p align="center">Proposed Subdivision</p> <p align="center">Regional Municipality of Hamilton-Wentworth</p> <p align="center">Planning and Development Department</p>			<p align="center">Legend</p> <p align="center">  Proposed Subdivision </p>		
<p align="center">North</p> 	<p align="center">Scale</p> <p align="center">1:12 000</p>	<p align="center">Reference File No.</p> <p align="center">25T-79033</p>			
	<p align="center">Date</p> <p align="center">June 1981</p>	<p align="center">Drawing No.</p> <p align="center">81-H-52</p>			

NOTE:
MEASUREMENTS SHOWN ON THIS PLAN ARE
IN METRES AND MAY BE CONVERTED TO FEET
BY DIVIDING BY 0.3048



(REVISED)
DRAFT PLAN
FOR THE SUBDIVISION
OF ROSEDALE NEIGHBOURHOOD
PART OF
KIMBERLY DRIVE
DUNKIRK DRIVE
AND PART OF
LOT 16, 72 INCLUSIVE
AND PART OF LOTS 77 & 80
AND ALL OF LOTS 79 & 80
ROSEDALE SURVEY
REGISTERED PLAN NO 538
AND PART OF
LOT 2, CONCESSION 4
TOWNSHIP OF BARTON
NOW IN THE
CITY OF HAMILTON
REGIONAL MUNICIPALITY OF
HAMILTON-WENTWORTH
SCALE = 1:500
AT McLEARN, G.L.S. 1978

THE SECTION 33 OF THE PLANNING ACT
147 SHOWN ON PLAN
148 SHOWN ON PLAN
149 SHOWN ON PLAN
150 SHOWN ON PLAN
151 RESIDENTIAL
152 RESIDENTIAL
153 SHOWN ON PLAN
154 CITY OF HAMILTON WATER SUPPLY
155 SHOWN ON PLAN
156 ALL MUNICIPAL SERVICES WILL BE AVAILABLE
157 SAME

OWNERS CERTIFICATE
IN ACCORDANCE WITH THE PROVISIONS OF SECTION 33 OF
THE PLANNING ACT, I, THE UNDERSIGNED, DO HEREBY
CERTIFY THAT THE INFORMATION CONTAINED IN THIS
DRAFT PLAN IS TRUE AND CORRECT TO THE BEST OF
MY KNOWLEDGE AND BELIEF.

SURVEYOR'S CERTIFICATE
I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT I AM
A LICENSED SURVEYOR AND THAT I HAVE EXAMINED
THE DRAFT PLAN AND AM SATISFIED THAT IT
COMPLIES WITH THE REQUIREMENTS OF THE
PLANNING ACT.

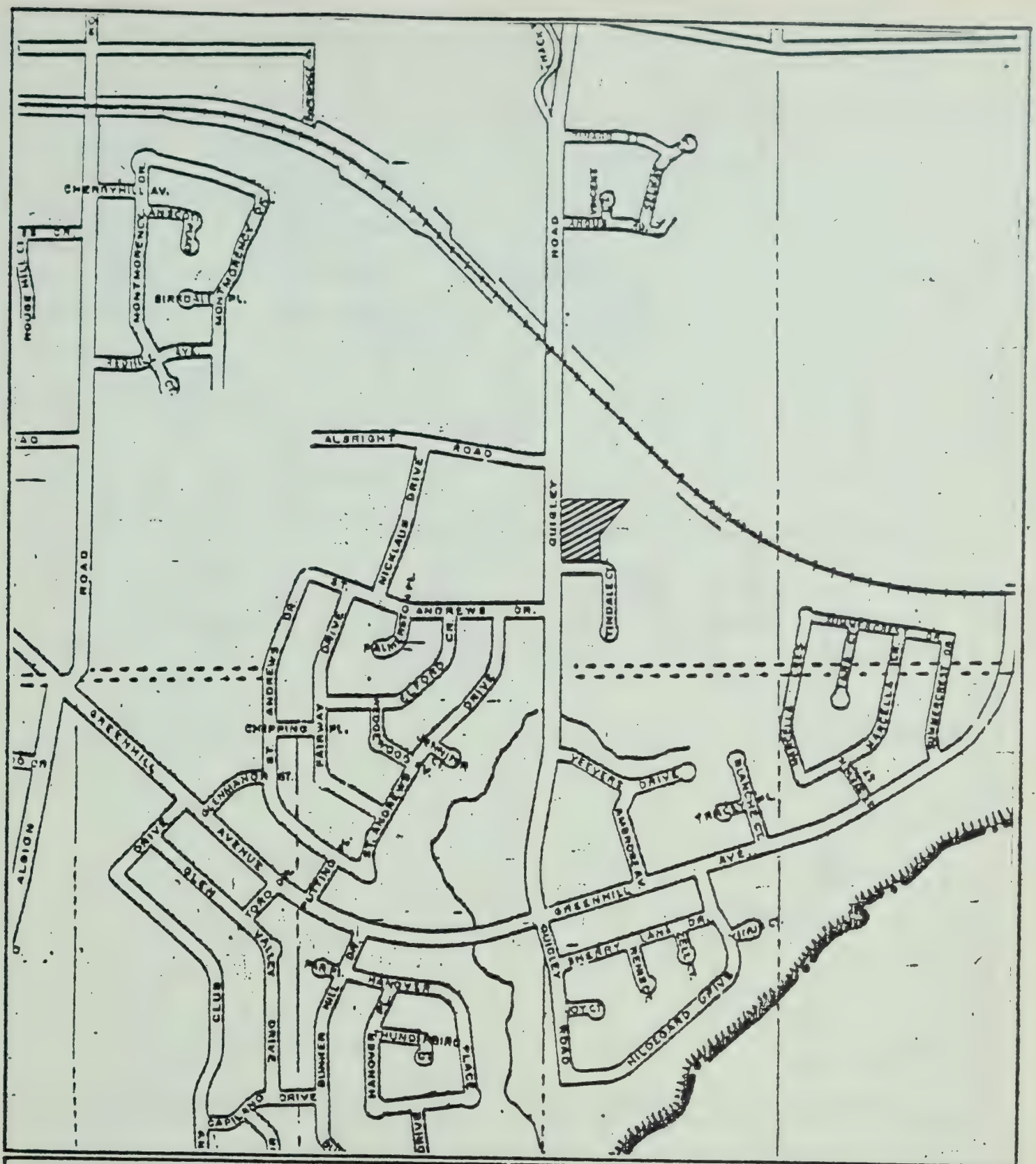
AT McLEARN LIMITED
SURVEYORS AND ENGINEERS
1000 SHEPPARD AVENUE EAST
SUITE 100
SCARBOROUGH, ONTARIO
M1B 4Y4
1978 03 23

AT McLEARN, G.L.S. 1978


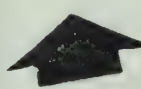


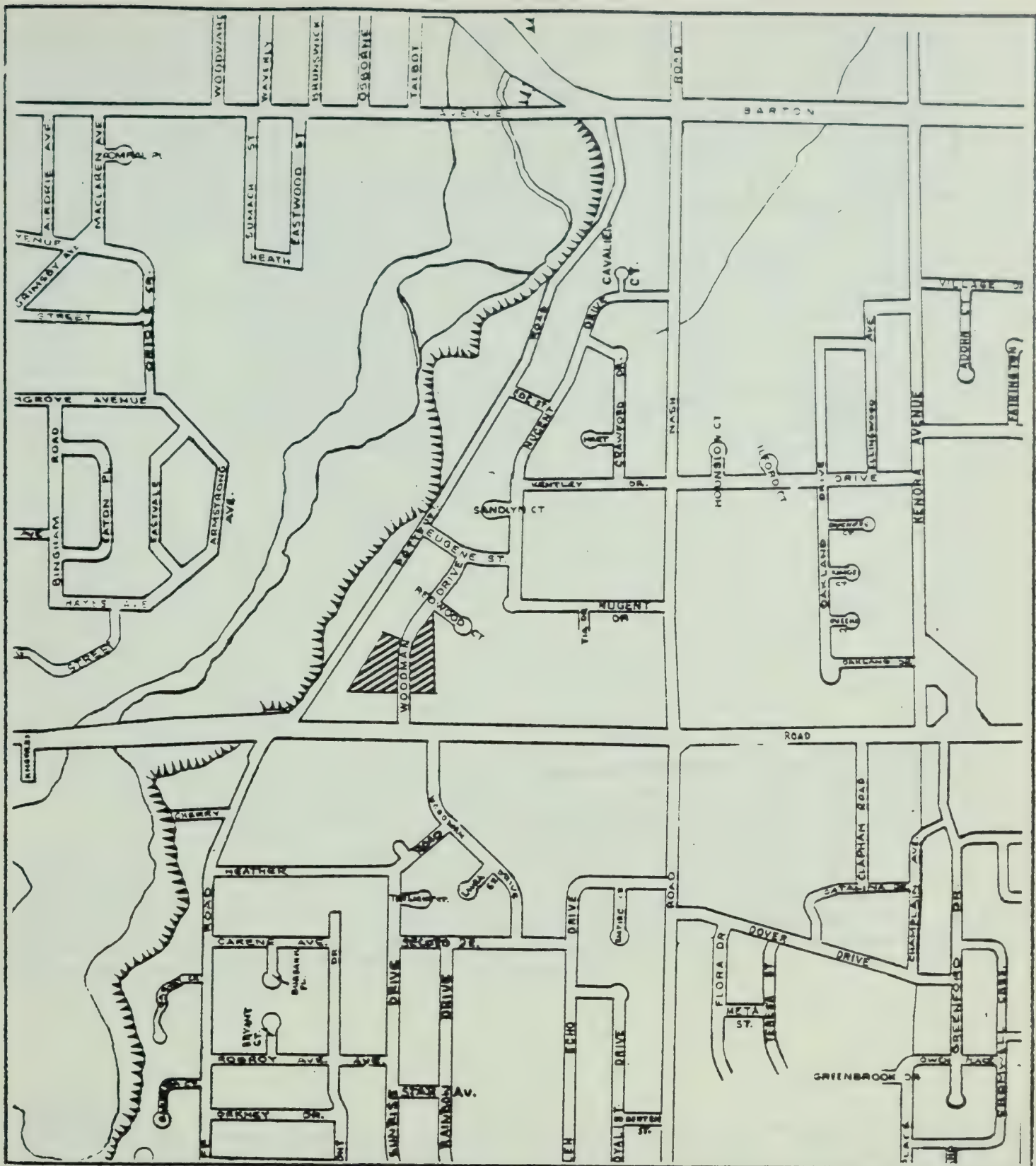
APPENDIX E

APPENDIX F



Location Plan For
"ANNA MARIA HEIGHTS"
 Block "B" - Maria Manor - Reg'd Plan
 No. M-69
 Part of Block "A" - Anna Manor - Reg'd
 Plan No. M-96
 In The City of Hamilton
 Proposed Condominium
 Regional Municipality of Hamilton-Wentworth
 Planning and Development Department

Legend		
	Proposed Condominium	
North 	Scale 1:12 000	Reference File No. 25CDM-81002
	Date April 1981	Drawing No. 81-H-19



Location Plan For
"RITA MANOR"
 Blocks "A" and "B" - Rita Heights
 Reg'd Plan No. M-68
 In The City of Hamilton

Proposed Subdivision
 Regional Municipality of Hamilton-Wentworth
 Planning and Development Department

Legend



Proposed Subdivision

North



Scale

1:12 000

Date

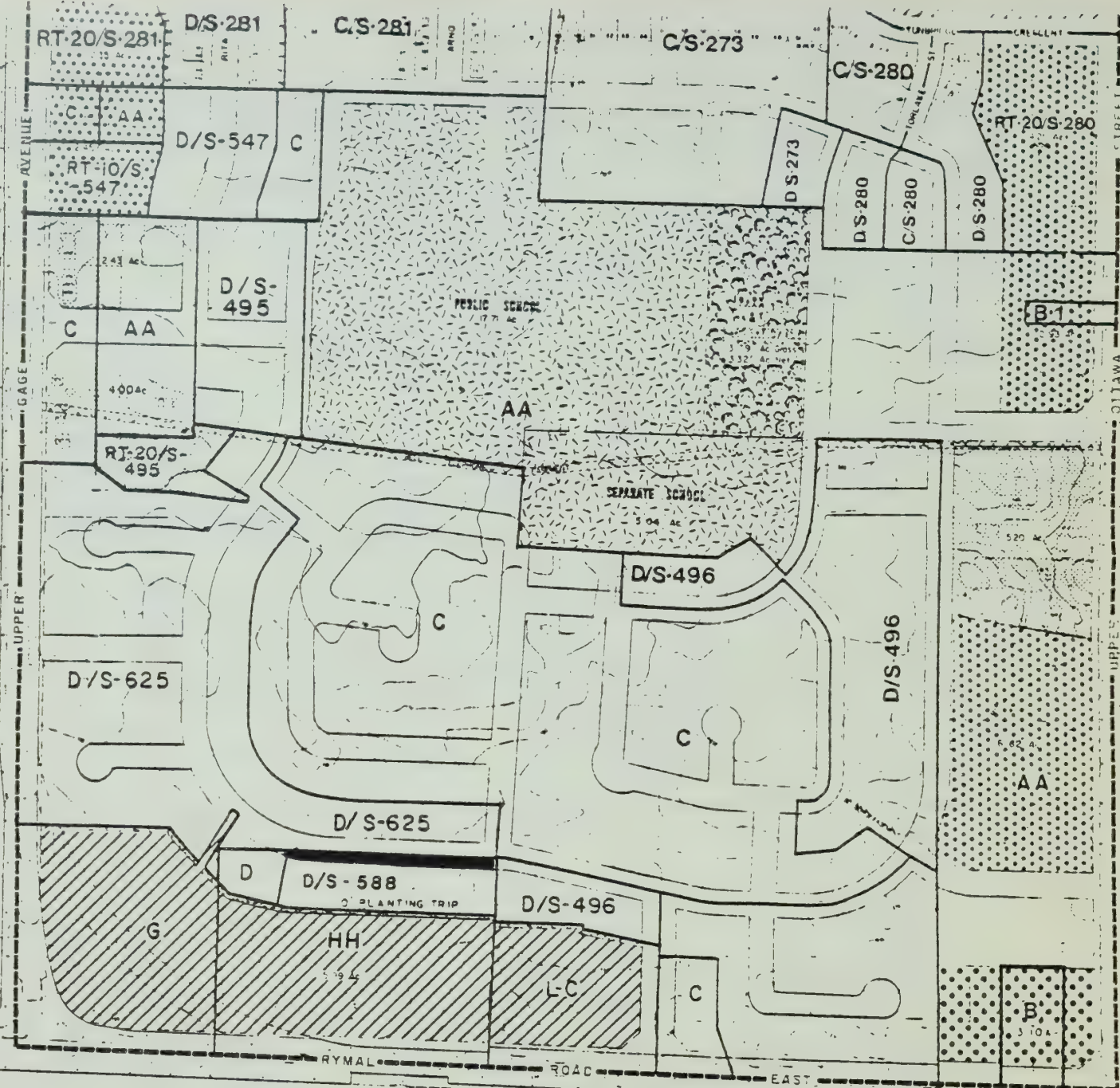
April 1981

Reference File No.

25CDM-81003

Drawing No.

81-H-18



APPENDIX J

THIS IS A GUIDE PLAN ONLY AND IS SUBJECT TO CHANGE.
FOR DETAILS CONTACT THE LOCAL PLANNING DIVISION OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

LAND USE

RESIDENTIAL

- single & double
- attached housing
- low density apts.
- medium density apts.

LAND REFERRED TO IN
ITEM 15, P.D.C.R. 20

COMMERCIAL

CIVIC & INSTITUTIONAL

PARK & RECREATIONAL

- Neighbourhood Boundary
- Zoning Boundary
- Staging of Development Boundary

Approvals
Planning Bd. JUNE 1972 Co.
Revisions

JAN 8/75
FEB 17/76
MAY 12, 1977
JUN 1978

CITY OF HAMILTON
PLANNING DEPARTMENT

TEMPLEMEAD

APPROVED

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of The Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its FIFTEENTH Report for 1981 and respectfully recommends:

REGIONAL ENGINEERING

1. That the Commissioner of Engineering be authorized to proceed with the reconstruction of the existing 24' wide portion of Tisdale Street South from Main Street East southerly to the east/west section of Tisdale Street, as advertised, pursuant to Section 446, R.S.O. 1970, of The Municipal Act.
2. That the application of Roy, Goddard & Buchanan, Solicitors acting on behalf of the owner of 25 Augusta Street, to permit an encroachment of existing porch, steps, canopy, railing, railway ties and sign, on to the road allowance of Augusta Street by a maximum of 3.20m (10.83') for an approximate distance of 6.40m (21.0'), be approved provided:-
 - (i) That the owner enter into an agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
 - (ii) That an annual fee of \$85.00 be set for this privilege, which fee shall be due and payable to The Corporation 30 days from the date of this resolution, in addition to the \$25.00 annual fee to be charged to the owner for encroachment insurance.

Respectfully submitted,

ALDERMAN F. LOMBARDO, CHAIRMAN

R. C. Prowse
Secretary

August 12, 1981.

REPORT OF THE PERSONNEL COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Personnel Committee presents its TWELFTH Report for 1981 and respectfully recommends:

1. Approval of the attached Memorandum of Agreement dated August 17, 1981 between the Corporation of the City of Hamilton and the Canadian Union of Public Employees - Local 167 (Dundurn Castle Unit).

RESPECTFULLY SUBMITTED,

ALDERMAN P. DRAGE,
CHAIRMAN
PERSONNEL COMMITTEE

G. W. McMillan,
Secretary
August 18, 1981

Refer to Section 1 of the Twelfth Report of the Personnel Committee.
This Memorandum of Agreement made this 17 day of August, 1981

BETWEEN THE NEGOTIATING COMMITTEES OF:

THE CORPORATION OF THE CITY OF HAMILTON

- and -

THE CANADIAN UNION OF PUBLIC EMPLOYEES - LOCAL 167
(Dundurn Castle Unit)

- I The parties herein agree to the terms of the Memorandum as constituting full settlement of all matters at issue between the parties.
- II The undersigned representatives of the parties agree to recommend unanimously acceptance of all the terms of this Memorandum to their respective principals.
- III The parties herein agree that the term of the Collective Agreement shall be February 1, 1981 to January 31, 1983.
- IV The parties herein agree that the said Collective Agreement shall include the terms of the Collective Agreement covering the period from February 1, 1980 to January 31, 1981, dated February 6, 1981, together with the following amendments and provisions.
- V The Collective Agreement shall be amended in accordance with the following and such amendments shall become effective upon ratification by both parties whose proper officers have appended their signatures hereto, save and except where this Memorandum of Agreement specifically provides otherwise.

The following are the amendments referred to in Item V above.

(1) Article 1 - Scope

A letter of understanding shall be attached the the Collective Agreement between the parties which shall indicate that "Local 167 (Dundurn Unit) employees" shall mean all employees whose positions are listed in Schedule A, and who are employed at Dundurn Castle or Whitehern.

(2) Article 4 - Standard Hours of Work

- (a) Present Article 4.2 shall be renumbered to 4.5
- (b) Add new articles which shall read as follows:

- 4.2 The Employer shall post Work Schedules at least one week prior to the work week. Should changes become necessary, the Employer will give the employee notice of such changes of not less than two (2) working days, except in emergency situations, provided, of course, that employees notify the Department immediately after the posting of the schedule that they are not available to work their scheduled hours.
- 4.3 There shall be a minimum schedule of three (3) working hours per day.
- 4.4 Employees who report for work on a scheduled working day and who have not been previously notified not to report shall be guaranteed a minimum of three (3) hours work or pay.
- 4.6 All employees shall be allowed a fifteen (15) minute rest period after completing 3 hours of work provided they are scheduled to work beyond that 3 hours of work. Times of such rest periods shall be arranged by the Department Head in accordance with the needs of the Department.
- 4.7 All employees shall be entitled to a one-half (1/2) hour unpaid lunch period after each completed four and one-half hours of work. Times of such lunch periods shall be arranged by the Department Head in accordance with the needs of the Department.

(3) Article 9 - Leave of Absence

- (a) Add new article to provide for a 6 week adoption leave.
- (b) A letter of understanding re bereavement leave.

(4) Article 10 - Promotion and Reduction of Staff

Add new article to be worded as follows:

- "10.10 Any employee directed to perform the duties of a higher classified position in Schedule "A" of this agreement shall be paid the rate for that position for all hours worked."

(5) Article 14 - Grievance Procedure

- 14.1 Within the terms of this Agreement a grievance shall be defined as a difference between the parties arising from the interpretation, application, administration or alleged violation of this Agreement.
- 14.2 The employee alone, or the employee and the department steward, if the employee so chooses, shall within fifteen (15) working days of the origin of the grievance, submit the grievance in writing to the employee's Foreman or Supervisor. The employee's Foreman or Supervisor shall confer with the employee and the Departmental Steward if the employee so chooses, within three (3) days following the submission of the written grievance.
- 14.3 Failing settlement within ten (10) working days following the date of submission, or within such longer period as may be mutually agreed upon by the employee and Supervisor, the Chairman of the Grievance Committee will present the grievance in writing to the Head of the Department concerned or his nominee, who will confer, within ten (10) working days, with the Grievance Committee in an endeavour to reach a satisfactory settlement, and within three (3) working days following such conference, will report in writing to the Chairman of the Grievance Committee.
- 14.4 Failing a satisfactory settlement pursuant to Article 14.3, the Chairman of the Grievance Committee shall, within ten (10) working days following receipt of the decision of the Head of the Department, present the grievance in writing to the Director of Personnel for the consideration of the Chief Administrative Officer in conjunction with the Director of Personnel in an effort to bring about a prompt and satisfactory settlement at a meeting within ten (10) working days following presentation of the Grievance. At such meeting, the Grievance Committee may be accompanied by authorized representatives of the Union. The Director of Personnel shall report in writing within ten (10) days of the said meeting to the Union. In the event the Director of Personnel denies the grievance, he shall state the reasons in writing.

14.5 Where the dispute involves

- (a) the question of general application of or interpretation of the provisions of this agreement, or
- (b) a group of employees, or
- (c) the dismissal of any employee or group of employees,

the grievance may be submitted by the Chairman of the Grievance Committee and the first step of the Grievance Procedure is to be omitted.

14.6 Where no satisfactory settlement of the matter in dispute is reached within twenty-one (21) days or such longer period as may be mutually agreed upon, of presentation of the request to the Director of Personnel under section 4 of this Article, the said matter in dispute is to be referred to Arbitration under the provisions of Article 15.

(6) Article 20 - Mileage Allowance

- (a) Amend Article to provide for an increase of 2¢ per mile on date of ratification.
- (b) Delete Article 20 (c)

(7) Article 24 - Sick Leave, Pension and Group Medical and Hospitalization Plans

- (a) It is agreed that the lump sum percentage paid (in lieu of any other sick leave, pension, group medical, hospitalization, life insurance and any other benefit that other employees receive) be increased to 6% per annum effective on ratification.

(8) Article 27 - Duration of Agreement

- (b) Amend article to reflect the term of the new Agreement as being February 1, 1981 to January 31, 1983.

(9) Schedule "A"

- (a) Amend Schedule "A", on February 1st, 1981 by a general increase of 11% and,

(b)

Amend that Schedule on February 1st, 1982 by a general increase of 10.5%.

ENTERED INTO THIS 17 day of August, 1981 on BEHALF OF:

THE CORPORATION OF THE CITY
OF HAMILTON

William Powell
John
H. H. H.

THE CANADIAN UNION OF PUBLIC
EMPLOYEES, LOCAL 167,
(Dundurn Castle Unit)

Sam MacLeod
Margaret J. P. P.
Kay Whitehead

LETTER OF UNDERSTANDING

"Local 167 (Dundurn Unit) employees" shall mean all employees whose positions are listed in Schedule A, and who are employed at Dundurn Castle or Whitehern.

LETTER OF UNDERSTANDING

Relative to Article 9.2, Bereavement Leave, it is understood that should bereavement occur during a week in which the scheduled working days do not permit the employee to work both the day before and after such leave, but the employee does have scheduled working hours in that week, and does work all scheduled hours, except those of the bereavement leave, the employee shall not lose benefits under this clause.

LETTER OF UNDERSTANDING

If in the current bargaining between the Regional Municipality of Hamilton-Wentworth and its Local 167 employees at Macassa Lodge a percentage greater than 6% set out in Article 24 of the Collective Agreement between the Corporation of the City of Hamilton and its Local 167 employees (Dundurn Unit) is granted, then Article 24 shall be amended to reflect such percentage. This letter of understanding shall remain valid only until the settlement with the Region and Macassa Lodge is reached.

1
2nd fl

MEETING OF CITY COUNCIL

September 29, 1981

A G E N D A

- A Finance Committee
- B Legislation Committee
- C Parks and Recreation Committee
- D Planning and Development Committee
- E Transport and Environment Committee
- F Personnel Committee
- J By-laws

REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:-

The Finance Committee presents its EIGHTEENTH Report and respectfully recommends:-

1. Approval of the awarding of the following contracts:-

(a) HILLCREST HOTEL & RESTAURANT SUPPLIERS LTD., Brantford, Ontario

Kitchen Equipment for the Hamilton Convention Centre, in accordance with Request for Quotation #11-18, issued by the Director of Purchases, and Bidder's Quotation dated August 21, 1981, for the sum of \$43,068.00. Ontario Retail Sales Tax Extra @ 7%.

NOTE: Lowest of 8 quotations received.

(b) CRYSTAPLEX PLASTICS LTD., Mississauga, Ontario

Maintenance of Rink Boards and Top Shields at Coronation Park, in accordance with specifications issued by the Director of Purchases, and Vendor's Tender for the total sum of\$20,842.02. Ontario Retail Sales Tax Exempt.

NOTE: Lowest of 3 tenders.

2. Section 1 of the Twenty-third Report of the Parks and Recreation Committee makes reference to the appointment of M. R. Byrne & Associates Ltd., as consultants for investigation, recommendations and preparation of a budget estimate for the installation of a fire suppression system at Dundurn Castle at a maximum fee to this firm of \$2,500.00 and that the Finance Committee be requested to recommend the method of financing.

The Finance Committee recommends that this expenditure be financed by a transfer of \$2,500.00 from the Contingency Account.

3. Section 2 of the Twenty-third Report of the Parks and Recreation Committee makes reference to the appointment of Sink/Combs & Associates as the specialist consultants for the Trade Centre/Arena Project at a total maximum fee of \$365,000.00 and that the Finance Committee be requested to recommend the method of financing.

The Finance Committee recommends that the total fee of \$365,000.00 be financed from the Reserve for the Trade Centre/Arena Project.

NOTE: For the information of the Members of City Council, it is estimated that the City will have earned by year end approximately \$470,000.00 in interest in this Reserve.

4. Approval of the sale of the following City-owned properties:-

- (a) To John and Winnifred Hall of 250 Bond Street North, a parcel of rear land at 250 Bond Street North, measuring 35'5" by 19'6", for the sum of \$300.00. Offer to be accepted on or before October 30, 1981. Cash deposit \$30.00. Balance on closing of sale which shall be on or before November 27, 1981.
- (b) To Vivian Hilliar of 238 Bond Street North, a parcel of rear land at 238 Bond Street North, measuring 35'5" by 19'8", for the sum of \$300.00. Offer to be accepted on or before October 16, 1981. Cash deposit \$30.00. Balance on closing of sale which shall be on or before November 27, 1981.
- (c) To George and Doreen Timko of 246 Bond Street North, a parcel of rear land at 246 Bond Street North, measuring 35'5" by 19'8", for the sum of \$300.00. Offer to be accepted on or before October 16, 1981. Cash deposit \$30.00. Balance on closing of sale which shall be on or before November 27, 1981.

NOTE: These lands are surplus to the City's requirements and are not required for any municipal purpose.

- 5. That the City of Hamilton grant permission to the Hamilton Municipal Employees Credit Union Limited to undertake certain renovations to the space being leased by the Credit Union in the Canadian Football Hall of Fame Building in accordance with a lease dated October 5, 1971 between the said parties. All renovations to this space to be carried out to the satisfaction of the City of Hamilton.
- 6. That pursuant to a Council resolution dated July 29, 1980 which in paraphrase provides that the City shall assume all costs or damages awarded against municipal employees in respect of their performance as employees, it is recommended that in connection with an action commenced in The Supreme Court of Ontario by James Wilson, Plaintiff, against The Corporation of the City of Hamilton, James E. Campbell, James A. Bethune, Dennis A. Carson, Daniel Vyce and Jerry Keenan, Defendants, it is recommended that the two employees named, Daniel Vyce and Jerry Keenan, be authorized to retain their personal solicitors in defence against such action and that all costs for same, subject to taxation if required, and any judicial awards that might be imposed against the said defendants, be fully assumed by The Corporation of the City of Hamilton.
- 7. Members of City Council are advised that the time limit for the conclusion of negotiations with the Ministry of the Attorney-General for the use of the former Main Library Building at 55 Main Street West for use for Provincial Court purposes as approved by City Council at its meeting held August 25, 1981, expired September 25, 1981. Arrangements have been made for a meeting with representatives of the Ministry of the Attorney-General on September 30, 1981 to discuss the possibility of this building being used for this purpose.

The Finance Committee recommends that the time limit for these negotiations to be concluded be extended for an additional thirty day period.

8. City Council at its meeting held November 11, 1980 in adopting Section 22 of the Forty-eighth Report of the Board of Control agreed that the 1981-1982 Hamilton City Council would be requested to give favourable consideration to the request of Veterans' Clubs that they be granted an exemption from their taxes in accordance with the provisions of The Municipal Act. Section 22 also provided that "such exemption to be based on the need as determined by the previous year's financial statement of the Veterans Club".

Of nine Veterans' Clubs which are eligible under the provisions of The Municipal Act for this exemption, eight submitted financial statements (the property of the ninth club is in the process of being sold and no response was received to the request of the Finance Committee for the submission of a financial statement). An analysis of the financial status of the eight clubs which submitted financial statements was carried out by the Treasury Department.

This analysis revealed that two of the eight clubs had a net loss on their operating revenues and expenditures for the year 1980.

Therefore, in accordance with the City Council resolution of November 11, 1980 that "such exemption to be based on the need", the Finance Committee recommends:-

(a) That a tax exemption be granted to:-

- (i) The Hamilton Naval Veterans' Association, 108 Parkdale Avenue North, in the amount of \$1,976.41 which is the actual deficit and which is the lesser of the actual deficit or the municipal portion of the taxes.
- (ii) The Army, Navy and Air Force Veterans, 554 John Street North, in the amount of \$2,794.16, which is the actual amount of the municipal portion of the taxes and which is the lesser of the actual deficit or the municipal portion of the taxes.

These tax exemptions to be charged to Account No. 0378-0490.

- (b) That Veterans' Clubs be permitted to submit applications for tax exemptions on a year to year basis within the provisions of The Municipal Act and that these applications be considered on the basis of need in accordance with the submission of financial statements and that the amount of the tax exemption, if granted, shall be the lesser of the actual operating deficit or the municipal portion of the taxes.

9. That the Director of Purchases be authorized to purchase from IBM, three IBM Copier II machines, located in the Engineering, Building and Treasury Departments, for the sum of \$10,560.00. Part of the cost is to be financed from the savings that will result in the present users accounts for the balance of 1981 and the remainder from the Contingency Account as follows:

Various Departmental Accounts	\$ 4,560.00
Contingency Account	6,000.00
	<u>\$10,560.00</u>

NOTE: A rental credit has accrued to the City in the amount of \$9,860.00 for the three copiers. This amount can be applied to the \$20,420.00 list price of the copiers, resulting in a net cost of \$10,560.00. Purchase of the copiers will result in a saving to the City of approximately \$8,540.00 per year over present costs.

10. That the present deficiency in the Building Department's car rental account, estimated at \$21,800.00, be financed by a transfer from the Contingency Account.

NOTE: In the preparation of the 1981 Estimates of the Building Department, there was no allowance made for the increase in the car rental rates, effective January 1, 1981, resulting in a shortfall of approximately \$14,500.00. In addition, there was no provision made in the estimates for a further increase which took place July 1, 1981 which resulted in a further shortfall of approximately \$7,300.00. These increases in rates were as the result of the increase in the price of gasoline and oil.

11. That the use of the existing "Reserve for Fire and Boiler Loss" be expanded to include losses from theft (other than cash and automotive equipment which are covered under existing policies and a self-insured auto insurance fund) and that the name of this Reserve be changed to "Reserve for Uninsured Losses".

Submitted with this agenda is a copy of a letter from the City Treasurer providing background information for this recommendation.

12. That the Director of Real Estate be authorized to negotiate a lease with the Hamilton Civic hospitals at fair market value rent for the City-owned property located at 290 Victoria Avenue North and that the lease be negotiated on a net basis with the Hamilton Civic hospitals being responsible for all repairs, maintenance and operating costs with the exception of major structural repairs and fire insurance, and

That in the event that a satisfactory lease cannot be negotiated with the officials of the Hamilton Civic hospitals, that the hospital be requested to vacate the premises on a mutually convenient date and the Director of Real Estate be authorized to sell the property at current market value.

13. (a) That the Regional Municipality of Hamilton-Wentworth be requested to negotiate the sale of debentures not to exceed \$10,000,000.00 with National Trust Company Ltd., for purchase by The Hamilton Municipal Retirement Fund. It is proposed the issue would be instalment debentures for a twenty-year term with a coupon rate of 14 1/2%, priced to sell at a yield not to exceed 18 1/2%.

(b) That City Council concur that if the discount does not exceed \$2,200,000.00, the discount will be financed from the Contingency Reserve.

Submitted with this agenda is a copy of a letter from the City Treasurer which provides background information for this recommendation.

14. That commencing January 1, 1982, the net revenue from parking violations summonses be apportioned on the basis of the amount of parking tags paid for violations on City roads and parking lots and the amount paid for violations on Regional roads.

15. Members of City Council are advised that representation has been made by Mr. H. S. Arrell, Solicitor, on behalf of Mr. M. Henowick for the return of a \$2,100.00 deposit plus interest forfeited to the City in 1979 as the result of the purchaser breaching the agreement with the City to purchase the City-owned lot at the south-east corner of West 5th Street and Mohawk Road West.

The former Board of Control heard an appeal by Mr. Henowick on August 10, 1979 and indicated to him that it would be prepared to recommend to City Council that the deposit be returned to him if the City was able to sell the property at the original purchase price of \$21,000.00 (or presumably for an amount greater than \$21,000.00).

The Finance Committee recommends that:-

- (a) No action be taken on the request for the return of the \$2,100.00 deposit plus interest, and
- (b) The position be taken that no deposit as such exists (as the result of the forfeiture) and that no funds will be returned even if the lot is sold by the City at some future date.

16. That leave be granted to introduce the following Bills:-

- (a) Bill A-12 - By-law to Amend By-law Number 71-69 Respecting
Penalty for Non-Payment of Taxes and Interest on Tax Arrears.
- (b) Bill A-13 - By-law to Amend By-law Number 78-277 Respecting
a Fire Station at the North-East Corner of Barton Street East
and Wentworth Street, in Lieu of a Fire Station on Sanford
Avenue.

RESPECTFULLY SUBMITTED,

ALDERMAN P. O. VALERIANO,
CHAIRMAN.

R. M. Collier, Secretary,
September 24, 1981.

REPORT OF THE LEGISLATION COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its FIFTEENTH Report and respectfully recommends:

GRANTS AND CIVIC HOSPITALITY

1. That a grant in the amount of \$225.00 be made to the Hamilton Mum Show Committee to cover the cost of hosting a reception for the Ontario Horticultural Society at the Gage Park Greenhouses in honour of their 75th anniversary in November, 1981. Estimated attendance, 75 people.

CIVIC AWARDS

2. That civic awards be made to the following:
 - a) Nancy Brown who brought honours to the City of Hamilton in 1981 by winning an Ontario Track & Field Championship.
 - b) Mr. Don Wira who brought honours to the City of Hamilton in 1981 by winning an International Bowling Championship.
 - c) Members of the Ontario Junior Rugby Team who brought honours to the City of Hamilton in 1981 by winning a Second Canadian Championship.
 - d) Members of the Tyke Bangels of the Westinghouse Lacrosse Association who brought honours to the City of Hamilton in 1981 by winning the Provincial Championship.
 - e) Miss Laura Davies who brought honours to the City of Hamilton in 1981 by winning the Canadian Championship in Womens Bodybuilding.
 - f) Members of the Hamilton Mahony Junior Baseball Club who brought honours to the City of Hamilton in 1981 by winning the All Ontario Junior A Baseball Championship.

3. That the appropriate civic recognition be awarded to the Royal Canadian Sea Cadet Corps "LION" for being named the best Sea Cadet Corp in Canada.

Note: This honour was given for consistantly achieving high marks throughout the training year and at the annual inspection. The Corp was judged over the past year by members of the Regular Force and the marks compared with those of the 205 other Corps in Canada. "LION" last won this honour 21 years ago.

CITY HALL FACILITIES

4. That CUPE Local 167 be granted permission to use the City Hall for their Annual Christmas Party on Sunday, December 13, 1981 from 1:00 p.m. to 4:00 p.m.
5. That Central Day Care Centre Inc. be permitted to use the City Hall Forecourt as an alternative location in case of inclement weather for the opening ceremony of Week of the Child on Monday, October 19, 1981 at 10:00 a.m.

RESOLUTIONS

6. That the following resolutions be endorsed.

a) Town of Fort Frances

"WHEREAS the Federal Department of Finance is considering removing the indexation feature for personal income tax exemption, at the presentation of the fall budget;

AND WHEREAS, projections made within Economic Council's Candide Economic model shows that de-indexation would substantially reduce real consumer expenditures during the eighties, while increasing the share of government portion of personal income;

AND WHEREAS under the present method of indexation, the federal treasury maintains its stable share of personal income;

AND WHEREAS, in the likely event of continuing inflation at the rate of ten percent annually or higher, the effects of substantially higher costs for energy, together with increases in costs of other necessities of life, will cause Canadians to face declining spending power;

AND WHEREAS, the lowering of discretionary income will have serious flow-through effects on manufacturing jobs, service industry jobs, and distribution jobs;

THEREFORE be it resolved, that the Council of the Town of Fort Frances strongly urges Finance Minister Allan MacEachen not to erode the purchasing power of Canadian tax-payers by de-indexation of personal income tax exemptions"

b) City of Sudbury

"WHEREAS by virtue of Regulation 418 of Revised Regulations of Ontario, 1970, made under the authority of The Highway Traffic Act, all municipalities, school boards and retarded childrens authorities are required to pay a nominal license fee of Two Dollars (\$2.) for the registration of all motor vehicles owned by them:

AND WHEREAS the Government of Ontario has proposed in its Budget Statement tabled in the Legislative Assembly of Ontario on May 19th, 1981, by The Honourable Frank S. Miller, the Treasurer of the Province of Ontario, that effective for the 1982 Registration Year, that the above preferential license fees for municipally-owned motor vehicles be ended and be replaced by the applicable license fees charged for commercial motor vehicles;

AND WHEREAS such action by the Government of Ontario will have a substantial detrimental impact on the City of Sudbury and upon every municipality in the Province of Ontario;

NOW THEREFORE be it resolved:

1. That the Council of The Corporation of the City of Sudbury does hereby petition and strongly urge that The Honourable Frank S. Miller, Treasurer of the Province of Ontario, continue to charge the preferential motor registration fee of Two Dollars (\$2.) for municipally-owned vehicles."

7. That no action be taken on the following resolution.

a) Township of Minto

WHEREAS the Council of the Township of Minto recognizes and is deeply concerned about the increasing number of farm and small business bankruptcies and/or shutdowns due to the exorbitant cost of obtaining and maintaining necessary operating funds and supplies.

AND WHEREAS it is submitted that the farming industry and the small business sector are the lifeblood of our economic system and the Canadian lifestyle;

AND WHEREAS it is submitted that in matters of such national and fundamental importance, which attack the foundations of our economy and well-being, it is the ultimate responsibility of our higher governments to take corrective and defensive action;

NOW THEREFORE BE IT RESOLVED THAT;

1. The Council of the Corporation of the Township of Minto, shall, and does hereby demand, that the Federal and Provincial governments provide, and/or force the Canadian chartered banks and other authorized lending institutions to provide, farmers and small businessmen with long term operating loans at reduced rates of interest.

2. The Council shall cause this resolution to be circulated to all municipalities and county councils and regions with the request that they endorse this resolution and notify their local M.L.A.'s and M.P.'s as well as the Ontario Minister of Agriculture and Canadian Minister of Agriculture.

8. HAMILTON MARKET

a) That the Hamilton Market monthly stand fees be increased as follows:

8' refrigeration units from \$125.00 to \$157.00
12' refrigeration units from \$150.00 to \$188.00
All other stands from \$100.00 to \$110.00
Daily stand fees from \$15.00 to \$16.50

- b) That the City Solicitor be authorized and directed to prepare an amendment to the Hamilton Market By-law No. 81-180 to provide for the recommended fee increases.

Note: For the information of the members of City Council, these fee increases are being recommended to ensure that 1982 Market revenues are sufficient to meet 1982 anticipated operating expenditures.

9. That Alderman William McCulloch represent the City of Hamilton on the Pilgrimage to commemorate the 40th anniversary of Dieppe in Dieppe, France in August of 1982 at an estimated cost of \$2,000.00.
10. That the Honorarium for the Committee of Adjustment be adjusted on the following basis:
- Chairman - from \$2,000.00 to \$2,600.00
Members - from \$1,500.00 to \$2,100.00
11. That when Council members are absent from City Council or Committee meetings on official City or Regional business, that they be so recorded in the City Council and Committee minutes of the meeting they were absent from.
12. That the tax adjustments as set out in Schedules A, B and C, Compansionate, Realty and Business respectively be approved as recommended by the Tax Appeal Sub-committee as a result of its hearing of September 24, 1981.
13. That leave be granted to introduce the following bills:
- Bill B-34 - A By-law to amend Market By-law No. 81-180 respecting: fees.
Bill B-35 - A By-law to confirm proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

Alderman J. MacDonald, Chairman

S.G. Hollowell, Secretary
Typed by S.M. Albano
September 25, 1981

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its TWENTY-SECOND Report for 1981 and respectfully recommends:

1. Approval of the following purchase:

Department of Culture and Recreation

HAMILTON HYDRONICS LTD., Hamilton, Ontario

For the supply and installation of Filter Tanks &
Filter Media for swimming pool at Huntington
Community Centre, in accordance with specifications
issued by the Director of Purchases and Vendor's
Tender for the total sum of \$29,940.00

Ontario Sales Tax Exempt.

NOTE: Lower of two tenders.

2. That King's Restaurant of Hamilton be awarded the contract for the operation of the concession at the Mountain Arena from September 30, 1981 until September 29, 1984 with the option to renew the lease from September 30, 1984 until September 29, 1986 in accordance with the specifications issued by the Director of Purchases, the Vendor's Tender and an agreement to be drawn up by the City Solicitor.

Terms of lease - Sept. 30/81 to Sept. 29/82 - \$625.00 per month
Sept. 30/82 to Sept. 29/83 - \$700.00 per month
Sept. 30/83 to Sept. 29/84 - \$775.00 per month
Sept. 30/84 to Sept. 29/86 - to be negotiated

NOTE: Highest of two acceptable tenders received.

3. Approval of the sale of Lot 69, Plan M-228, Oakington Estates, Phase V (Guildwood Drive) to Bishopsgate Properties Limited for the sum of \$20,000.00. Cash deposit of \$2,000.00 - balance of purchase price on closing of sale, which shall be on or before October 30, 1981.

This transaction is subject to special restrictions and agreements, as set out below:

- (a) Whereas the Purchaser herein has entered into another agreement of purchase and sale dated August 27, 1981, to sell the same land to Mary Warren, it is understood and agreed that this sale herein to Bishopsgate Properties Limited is conditional upon all the conditions set out in the agreement dated August 27, 1981, being removed or met to the satisfaction of Bishopsgate Properties Limited prior to the closing date of October 30, 1981. This condition is for the benefit of Bishopsgate Properties Limited and may be waived by the company.

It is also understood and agreed that the closing of this transaction may be extended until November 30, 1981, if requested by the Purchaser and if extended, it shall be subject to the same terms and conditions.

Should the Vendor (City of Hamilton) receive any other bona fide offer to purchase upon the said property, acceptable to it, we reserve the privilege of giving 72 hours notice in writing, from time of delivery (Sundays and legal holidays excluded) to the purchaser Bishopsgate Properties Limited to remove the conditions in paragraph 14.

NOTE: This property was acquired in June 1977 as payment of the required 5% land dedication and is now being disposed of inasmuch as it is not required for parks or recreational purposes.

4. (a) That the Rosedale Tennis Club be authorized to operate a Winter Tennis Programme at the Rosedale Tennis Courts, Gage Park, by erecting an Air Bubble Structure over 8 existing courts and utilization of the Club House.
- (b) That a 10 year lease agreement, satisfactory to the City Solicitor and the Director of Culture and Recreation, be entered into between the City and the Rosedale Tennis Club, which will, among other provisions:
- (i) require the Club to pay all costs attributed to the installation, erection and leasing of the Air Bubble Structure, as well as the operation of the Winter Club (including such costs as insurance, realty taxes, utilities, etc.);
 - (ii) require adequate insurance coverage for personal injury, public liability and property damage, with the City as a named insured;
 - (iii) require the City's approval with respect to policies, fees renovations and/or improvements to facilities.
- (c) That the Rosedale Tennis Club continue to pay to the City the costs assessed annually for utilities as related to the operation of the Summer Tennis Club.

5. That the following be appointed to head up a fund raising campaign for the Trade Centre/Arena Project.

Chairman

Mr. Robert G. Darling

Vice-Chairman

Mr. Robert L. Gregson
as the representative of the
Hamilton and District Chamber
of Commerce

Vice-Chairman

Mr. Harry Greenwood
as the representative of the
Hamilton & District Labour
Council

Respectfully submitted,

ALDERMAN K. M. EDGE, CHAIRMAN
PARKS AND RECREATION COMMITTEE

J. J. Schatz, Secretary
September 10, 1981

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its TWENTY-THIRD Report for 1981 and respectfully recommends:

- 1.(a) That the Consulting Firm of M. R. Byrne & Associates Ltd., 480 Guelph Line, Burlington, Ontario, be engaged to investigate, make recommendations and prepare a budget estimate for the installation of a fire suppression system, Dundurn Castle, at a maximum cost not to exceed \$2,500.00. The fee for design, specifications and supervision of the project, if approved in the 1982 budget estimates, is included in the above estimates.
- (b) That the Finance Committee be requested to recommend the method of financing.
- 2.(a) That the firm of Sink/Combs & Associates, Denver, Colorado, U.S.A., be appointed as the Specialist Consultant for the Trade Centre/Arena Project, at a maximum fee of \$338,400.00, plus 50% of the duty charges to a maximum of \$20,000.00, plus 9% Federal Sales Tax to a maximum of \$3,600.00, for a total maximum fee of \$362,000.00.

That the total estimated provision for the Specialist Consultant for the Trade Centre/Arena Project be \$365,000.00.

- (b) That the Finance Committee be requested to recommend the method of financing the required amount of \$365,000.00.
- (c) That the Mayor and City Clerk be authorized to execute a form of agreement satisfactory to the City Solicitor and the City Engineer and Co-ordinator Lloyd D. Jackson Square, between the Corporation of the City of Hamilton and Sink/Combs & Associates, with respect to their appointment as Specialist Consultant for this project.
3. That the firm of James A. Wilson Associates Ltd., Toronto, Ontario, be appointed to supply consulting services for the new irrigation system at Chedoke (Beddoe) Golf Course, at a total maximum fee of \$20,600.00.

NOTE: Only submission to meet specifications.

4. That an application be made to the Minister of the Environment requesting his approval to allow the former Highway 403 Sanitary Land-fill Site to be utilized as a Recreational Sports Field Area.
5. The Parks and Recreation Committee advises that in connection with the long-range plans to develop the Beach Strip for park and recreational purposes, the following options have been exercised by the Hamilton Region Conservation Authority.

<u>ADDRESS</u>	<u>PURCHASE PRICE</u>
63-65 Beach Boulevard	\$37,000.00
15 Lagoon Avenue	\$30,000.00
417 Beach Boulevard	\$38,400.00
22 Renfrew Avenue	\$17,500.00
550 Beach Boulevard	\$22,000.00
4 North Park Avenue	\$22,200.00
372 Beach Boulevard	\$25,800.00
110 Beach Boulevard	\$22,400.00
776 Beach Boulevard	\$17,500.00
148 Beach Boulevard	\$ 8,500.00
1057 Beach Boulevard	\$28,750.00
20 Clare Avenue	\$19,200.00
180 Beach Boulevard	\$12,000.00
5 Wickham Avenue	\$27,000.00
620 Beach Boulevard	\$39,750.00

In accordance with the leaseback arrangements made between the City of Hamilton and the Hamilton Region Conservation Authority, it is recommended that the above properties be added to the schedule of properties to be leased by the City of Hamilton.

That a copy of this resolution be forwarded to the Clerk of the Regional Municipality of Hamilton-Wentworth and the Hamilton Region Conservation Authority.

6. That the following policy respecting gifts presented to the City/Mayor be approved.
- (a) That gifts to the City of Hamilton received by the Mayor or his/her designate while in office, with the exception of gifts that are consumable, i.e. food, drink, cigars; be recorded with the City Clerk and be evaluated by the Hamilton Historical Board;
 - (b) That such gifts may be retained and displayed in City Hall during the tenure of office of the Mayor;
 - (c) That following the Mayor's tenure of office, those gifts deemed to have historical significance be offered to the Hamilton Historical Board as historical artifacts and that the remainder of the gifts be referred to the Legislation Committee for a recommendation relative to their disposition.

Respectfully submitted,

ALDERMAN K. M. EDGE, CHAIRMAN
PARKS AND RECREATION COMMITTEE

J. J. Schatz, Secretary
September 17th, 1981

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of The Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its TWENTYSECOND Report and respectfully recommends:-

1. That approval be given to Zoning Application 81-31, Lucy Patricia Woods, owner, for an amendment to the Zoning Regulations applicable to the property located at No.18 Haddon Avenue South, as shown on the attached plans marked as APPENDIX "A" on the following basis:
 - i) That notwithstanding sections 2(2)(H)(iii)(f) and (h) of By-law No.6593 as amended by By-law No. 81-20, hairdressing shall be permitted as a home occupation, limited in operation to one hairdresser with a maximum of one comb-out centre and one hair styling sink.
 - ii) That the amending by-law be added to Section 19(b) of the Zoning By-law as Schedule S-763 and that the subject land on Zoning District Map W-40 be notated S-763.
 - iii) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law 6593 and Zoning District Map W-40 and make application to the Ontario Municipal Board for approval upon completion of its requirements by the City Clerk.
 - iv) That the By-law not be proceeded with until such time that the applicant has submitted a letter to the Secretary of the Planning and Development Committee in which she agrees to notify the Secretary in the future when she intends to sell the property, so that the said By-law may be repealed at that time.
 - v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- Explanatory Note - The by-law will allow a hairdressing business for one hairdresser only, to be operated from the residential property located at No.18 Haddon Avenue South as a home occupation.
2. (a) That approval be given to Official Plan Amendment No.367 to establish a change in land use designation from "Commercial" to "Residential" for lands located at #1719, 1721, 1723 and 1728 King Street East, and City/Regional owned lands located in the area north of Lawrence Road and west of Kenilworth Avenue to just north of King Street East, and that the City Solicitor be directed to prepare a by-law to adopt this Official Plan Amendment for submission to The Ministry of Municipal Affairs and Housing.
- (b) That approval be given to City Initiative 81-R, to establish a change in zoning from "H" (Community Shopping and Commercial, etc.) District

to "C" (Urban Protected Residential, etc.) District of lands located on the north side of King Street East (Blocks 3 and 4), and from "H" (Community Shopping and Commercial, etc.) District to "D" (Urban Protected Residential One and Two Family Dwellings, etc.) District of lands located south of King Street East and west of Kenilworth Avenue (Blocks 1 and 2) as shown on the attached map marked APPENDIX "B" on the following basis:

- i) that the amending By-law be added to Section 19(b) of the Zoning By-law as Schedule S-764, and that the subject land of Zoning District Map E-56 be notated S-764.
- ii) that the City Solicitor be directed to prepare a By-law to amend Zoning By-law 6593 and Zoning District Map E-56 and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk; and
- iii) that the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area, with the approval of Amendment No.

Explanatory Note - The purpose of the By-law is to establish appropriate "C" (Urban Protected Residential - One and Two Family etc.) District and "D" (Urban Protected Residential - One and Two Family Dwellings) District zoning on lands occupied by existing single family dwellings, and on vacant City/Regional owned lands used for open space and right-of-way purposes.

3. (a) That approval be given to Official Plan Amendment No.368 to establish text amendment to permit restricted industrial/commercial uses on residentially designated lands located at 221 and 223 Mary Street and that the City Solicitor be directed to prepare a by-law to adopt this Official Plan Amendment for submission to the Ministry of Municipal Affairs and Housing.
- (b) That approval be given to zoning application 81-22, Steve and Julia Lukacs, owners, to establish a modification to the zoning regulations applicable to property located at 221 and 223 Mary Street, as shown on the attached map marked as APPENDIX "C" on the following basis:
 - i) that the "J" (Light and Limited Heavy Industrial, etc.) District regulations as contained in Section 16 of By-law 6593 be modified to permit only the following uses:

(1) Permitted Uses

Commercial Uses

- a) A carpenter's shop which is not a factory;
A book-binder's or upholsterer's shop, a warehouse;

Industrial Uses

- b) A printing establishment;

A paper products factory except the manufacture of building paper, tar or asphalt composition roofing, saturated paper, excelsior or fibre;

- c) A jewellery factory or small metal wares factory having no hammering, stamping or other operation by power-driven mechanical equipment operated by other than an electric motor of a rating of 746.0 watts (1 horse power) or less, (79-288);
- d) A ceramics factory, if wholly enclosed, and having all heat-processing powered only by gas, oil or electricity and having no gas or electricity generated on the premises;
- e) A factory for the manufacture of:

brooms, brushes, mops, carpet sweepers, artificial flowers and feathers, fountain pens and pencils, artificial ice, electric lamps and lamp shades, mattresses, musical instruments, regalia and society emblems, electric signs and other signs, stamps and stencils, statuary, art goods and novelties, toys, umbrellas, or,

any other products of Miscellaneous Products industry as classified in the reports of the Dominion Bureau of Statistics for Manufacturing Industries published in the year A.D.1948;

Provided:

- (a) That there is no hammering or stamping operation by power machinery, and no kiln; and,
 - (b) That there is no power-driven mechanical equipment operated by other than an electric motor of a rating of 746.0 watt (one horse power) or less. (79-288).
- ii) that the amending By-law be added to Section 19(b) of the Zoning By-law as Schedule S-765 and that the subject land of Zoning District Map E-3 be notated S-765.
 - iii) that the City Solicitor be directed to prepare a By-law to amend Zoning By-law No.6593 and Zoning District Map E-3 and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk.
 - iv) that the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area, with the approval of Amendment No.368.

Explanatory Note - The purpose of the By-law is to modify the established

"J" (Light and Limited Heavy Industrial) District zoning to permit restricted commercial/industrial uses to be established on the lands located at 221 and 223 Mary Street as marked on Zoning District Map E-3 attached.

4. (a) That approval be given to Official Plan Amendment No.369 to establish a change in land use designation from "Transportation" to "Residential" of the lands located in the area south of Limeridge Road East and on the east and west sides of the extension of Upper Kenilworth Avenue, and that the City Solicitor be directed to prepare a by-law to adopt this Official Plan Amendment for submission to the Ministry of Municipal Affairs and Housing.
- (b) That approval be given to Zoning Application 81-36, 280641 Ontario Incorporated, owner, to establish a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District on lands located in the area south of Limeridge Road East, east of the extension of Upper Kenilworth Avenue, as shown on the plan marked as APPENDIX "D" attached;
 - i) that the City Solicitor be directed to prepare a By-law to amend Zoning By-law No.6593 and Zoning District Map E-69b and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk.
 - ii) that the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area, with the approval of Amendment No.

Explanatory Note - The purpose of the By-law is to change the zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District of 3.6 ha (8.9 acres) of land located south of Limeridge Road East, east of the proposed extension of Upper Kenilworth Avenue, to permit the said lands to be subdivided into 43 single family lots by means of a registered plan of subdivision.

5. (B) That approval be given to Zoning Application 81-44, Ross and Joe's Auto Service Inc., lessee, to establish a change in zoning and modifications to the Zoning Regulation with respect to property located at 102 Vine Street, as shown on the attached plan marked as APPENDIX "E" attached, on the following basis:
 - i) that the subject lands be rezoned from "L-c" (Planned Development Commercial) District to "H" (Community Shopping and Commercial) District, modified to include the following variances and restrictions:
 - a) that notwithstanding the provision of section 14(1) of By-law No.6593 only a public garage together with ancillary signage and the retail sales of a maximum of 5 used cars, shall be permitted;
 - ii) that the amending By-law be added to Section 19(b) of the Zoning By-law as Schedule S-766, and that the subject land on Zoning District Map W-4 be notated S-766.

iii) that the City Solicitor be directed to prepare a By-law to amend Zoning By-law No.6593 and Zoning District Map W-4 and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk.

iv) that the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note - The By-law will provide for a change in zoning from "L-c" (Planned Development - Commercial) District to "H" (Community Shopping and Commercial, etc.) District for property located at #102 Vine Street, as shown on Zoning District Map W-4.

(B) That the application to the Ontario Municipal Board for approval of the subject Zoning By-law be withheld until such time as the following condition has been satisfied;

i) that the applicant enter into an agreement whereby he agrees to convey to the Region, should the subject lands be redeveloped, a 3.78 m (12.48') strip of land along the east side of Bay Street North for road widening purposes.

6. That approval be given to Zoning Application 81-46, Ronald Albert Nichols, owner, requesting a change in zoning from "B" (Suburban Agriculture and Residential, etc.) District to "B-2" (Suburban Residential) District to permit a severance of the lands located at 424 Upper Horning Road, as shown on the plan marked APPENDIX "F" attached; and that the City Solicitor be directed to prepare a By-law to amend Zoning By-law No.6593 and Zoning District Map W-43B and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk; and that the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note - The By-law will provide for a change in zoning from "B" (Suburban Agriculture and Residential, etc.) District to "B-2" (Suburban Residential) District to permit a severance of the lands for residential purposes, located at 424 Upper Horning Road, as shown on Zoning District Map W-43B.

7. That approval be given to Zoning Application ZA-81-47 Nethercott Chevrolet Limited, owner, for an amendment to the Zoning By-law with respect to the rear part of property at No.1591 Upper James Street and No.49 Rymal Road, as shown on the plan attached marked as APPENDIX "G" on the following basis:

i) that pursuant to the provisions of Section 35(29) of The Planning Act the subject land may be used for parking for a further period not exceeding two years.

ii) that the amending by-law be added to Section 19(b) of the Zoning By-law as Schedule S-767, and that the subject land on Zoning District Map E-9D be notated S-767.

iii) that the City Solicitor be directed to prepare a by-law to amend Zoning By-law 6593 and Zoning District Map E-9D.

- iv) that the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note - The by-law will provide that the rear part of property at No.1591 Upper James Street and No.49 Rymal Road may continue to be used for parking for a further period of two years. The subject land having an approximate area of 2 acres is shown on Zoning District Map E-9D.

8. That approval be given to Zoning Application 81-52 by the Board of Education, owner, to establish a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District of lands bounded by Secord Drive, Rainbow Drive and Glen Echo Drive, as shown on the attached plan marked as APPENDIX "H"; and that the City Solicitor be directed to prepare a by-law to amend the Zoning By-law 6593 and Zoning District Maps E-95 and E-96 and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk; and that the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note - The purpose of the by-law is to provide for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District of lands bounded by Secord, Rainbow and Glen Echo Drives so as to permit vacant classrooms within Glen Echo School to be used by the Family Services of Hamilton-Wentworth Inc. for a day nursery.

9. (a) That approval be given to Zoning Application 81-48, 465194 Ontario Limited, owner, to establish a modification to the zoning regulations for property located on the east side of Upper Wentworth Street, north of Stone Church Road, as shown on the attached plan marked APPENDIX "I" on the following basis:

- i) that clause 1. of Subsection 2. of By-law 78-176, passed by City Council on June 28, 1978, be deleted;
- ii) that a new clause 1. of Subsection 2. be substituted to provide for a townhouse development in accordance with the "RT-20" (Townhouse and Maisonette) District provisions, and that the maximum density be based upon 259.19 m² of lot area per dwelling unit;
- iii) that the amending By-law be added to Section 19(b) of the Zoning By-law as Schedule S-580a, and that the subject lands on Zoning District Maps E-27B and E-27c be notated S-580a;
- iv) that the City Solicitor be directed to prepare a By-law to amend Zoning By-law No.6593 and Zoning District Maps E-27B and E-27C and make application to the Ontario Municipal Board for approval upon completion of its requirements by the City Clerk; and
- v) that the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note - The purpose of the By-law is further to modify the "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to provide the option of erecting either small lot single-family dwellings,

semi-detached dwellings or townhouse dwellings on lands located on the east side of Upper Wentworth Street, north of Stone Church Road, as shown on Zoning District Maps E-27B and E-27C.

(b) That application to the Ontario Municipal Board for⁴ approval of the subject Zoning By-law be withheld until such time as the following condition has been satisfied:

i) that the applicant convey to the Region, for road widening purposes, a strip of land 5.18 m (17') wide along the easterly limit of Upper Wentworth Street.

10. That approval be given to Zoning Application 81-51, Corad Developments Ltd., owner, to establish a modification to the zoning regulations for property located in the area east of Upper Paradise Road, north of Stone Church Road East, as shown on the attached plan marked APPENDIX "J" on the following basis:

- i) that clause 1. of Subsection 2. of By-law 79-165, passed by City Council on May 29, 1979, be deleted;
- ii) that a new clause 1 of Subsection 2 be submitted to provide for a townhouse development, in accordance with the "RT-10" (Townhouse) District provisions, and at a maximum density based upon 315.64 m² of lot area per dwelling unit;
- iii) that the amending By-law be added to Section 19(b) of the Zoning By-law as Schedule S-645a, and that the subject land on Zoning District Map W-27C be notated S-645a;
- iv) that the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-27C, and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk;
- v) that the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note - The purpose of the Bylaw is further to modify the "D" (Urban Protected Residential - One and Two Family Dwellings, ec.) District to provide the option of erecting either small lot single family dwellings, semi-detached dwellings or townhouse dwellings on lands located in the area east of Upper Paradise Road, and north of Stone Church Road East, as shown on Zoning District Map W-27C.

11. That approval be given to Zoning Application 81-50, Dundurn Construction Limited, owner, to establish a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District of lands on the north and south sides of the proposed extension of Vittorito Avenue, as shown on the attached plan marked as APPENDIX "K"; and that the City Solicitor be directed to prepare a by-law to amend the zoning by-law 6593 and zoning district map E-124 and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk; and that the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note - The purpose of the by-law is to provide for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District of 2.18 ha (4.68 acres) of land located on the north and south sides of the proposed extension of Vittorito Avenue, the location of which is shown on the attached map. The purpose of the change is to permit a 48 lot, single family residential development by registered plan of subdivision.

12. (a) That approval be given to Application SA 81-04, Dundurn Construction Limited, owner, to establish a draft plan of subdivision, Valley Heights, located in the area of the proposed extensions of Bow Valley Drive, Vittorito Avenue and Capri Crescent, as shown on the attached plan marked APPENDIX "L" subject to the following conditions:

1. That this approval apply to the plan prepared by MacKay, MacKay & Peters Limited, dated May 15, 1981, showing 48 lots and 2 Blocks, as revised to show:

- i) the proposed street and crescent abutting lots 15 to 22 inclusive, established in full,
- ii) the boundary of the draft plan in the vicinity of lots 1 to 6 and Blocks 49 and 50, and
- iii) Blocks "A and B" changed to "Blocks 51 and 52".

2. That the road allowances shown on the approved copies of the draft plan be dedicated as public highway on the final plan.

The owner is to acquire and include in the final plan all of Parts 1, 2 and 3 on Plan 62R-2640 and all of Part 2 on Plan 62R-3664 and is to dedicate these lands together with Blocks "51 and 52" for public road allowance purposes by certificate on the final plan.

3. That the streets be named to the satisfaction of the Regional Municipality of Hamilton-Wentworth and the City of Hamilton.
4. That the owner convey land in the amount of 5% of the land included in the plan to the municipality for park purposes pursuant to the provisions of Section 33 (5) (a) of The Planning Act. Alternatively, the City may require a cash payment in lieu of conveying land in the amount of 5% of the land included in the plan to the municipality for park purposes.
5. That any dead end and open sides of road allowances created by this plan of subdivision be terminated in 0.5 m reserves to be conveyed to the municipality and held by the municipality until required for future road allowance or the development of adjacent land.
6. That the proposed subdivision conform with the restricted area by-law for the City of Hamilton approved by the Ontario Municipal Board under Section 35 of The Planning Act.

7. That Blocks 49 and 50 not be developed except in conjunction with adjacent lands.
 8. That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
 9. That the owners provide the City of Hamilton and the Region with a certified list showing the net area of each lot in the final plan.
 10. That the owner acquire from the City the one foot reserve blocks indicated on the plan as Parts 4 to 8 inclusive on Plan 62R-2640 and Part 3 and part of Part 4 on Plan 62R-3664.
 11. That lots 16 to 22 inclusive not be registered until the abutting road allowances have been established to their full width of 20.117 m.
 12. That the owner install a chain link fence to the specifications of the City of Hamilton between the City open space lands and lots 1 to 6 and Blocks 49 and 50 and the cost of the fencing including materials and installation be shared equally by the owner and the City.
 13. That the owner satisfy the requirements of the Hamilton Region Conservation Authority.
 14. That the owners agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
- (b) That a subdivision agreement be entered into by the Corporation of the City of Hamilton and the Owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to Application SA 81-04, Valley Heights, draft plan of subdivision and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by the City Council.
13. That Zoning Application 81-49, by Joseph Finocchio, prospective owner, requesting a change in zoning from "AA" (Agricultural) District to a "Commercial" district to permit retail commercial uses, be refused for the following reasons:
- (a) The proposal does not comply with the existing City Official Plan.
 - (b) The proposal does not comply with the New City Official Plan (presently before the Minister), except for a small portion of the lands.
 - (c) The proposal does not comply with the Regional Official Plan.
 - (d) The proposal is not in conformith with the Thorner Neighbourhood Plan.
 - (e) Approval of the application would necessitate the relocation of the east-west "Freeway" corridor which is not practical.

(f) - The proposal insofar as it applies to the lands outside the "Freeway" corridor is considered to be premature.

14. That with respect to the Ontario Municipal Board Interim Decision of June 17, 1981 on City of Hamilton Official Plan Amendment No.351, and Zoning By-law No.80-205 (Loblaw's Proposal - Upper Wentworth Street) -

(a) Council approve the attached report marked APPENDIX "M" and the following modifications to the new City of Hamilton Official Plan.

i) Symbols indicating the location of Limeridge Mall and Eastgate Square as "Sub-Regional Centres" to be added to Schedule "A";

ii) The fourth paragraph of Subsection A.2 (Land Use Concept) to be changed to read:

"promote the central area as the major multi-use focus of community life and commerce for the City and Region supplemented by two sub-regional centres having a similar commercial function, but smaller in scale, at other locations"

iii) Policy A.2.2.2 (Commercial Uses) on page 9 to be changed to read:

"Council recognizes that the COMMERCIAL structure of the City operates within a hierarchy of categories ranging from the Central Policy Area (which, as defined by the Regional Official Plan, is intended to function as the 'Regional Centre') to Local Convenience Commercial uses. Except for the Central Policy Area and Sub-Regional Centres, the hierarchy is not designated on Schedule "A" to this Plan. The location and distribution of such categories will be identified through Secondary Plans as set out in Subsection D.2.

iv. A new policy to be added as A.2.2.5 (Commercial Uses) on page 10 (with all necessary adjustments to subsequent policy numbers and referencing), which reads:

"The two Sub-Regional Centres will be promoted as secondary retail, business and service centres in the Region, and in the context of the overall COMMERCIAL structure of the City. Accordingly, the Sub-Regional Centres will consist of lands in the vicinity of the intersection of Queenston Road and Centennial Parkway, and secondly, within Thorner Neighbourhood east of Upper Wentworth Street and north of the proposed East-West Arterial Road. Council will encourage the location in these centres of relevant district or branch services and offices of business and other levels of government having their main regional offices in the Central Policy Area, and Residential Uses. It is further intended that lands within the area designated in the Regional Official Plan as 'Urban Policy Area' surrounding

the Sub-Regional Centres will include the following uses complementary to those uses existing within these Centres.

- i. Residential Uses of higher densities;
- ii. Retail Uses, as well as some offices; and,
- iii. Major Institutional Uses, including social, community and health services."

v. Policy B.3.2.11 (Public Transit), on page 86 to be changed to add as clause vi) the following:

vi. Integration of the system with transfer points to conventional transit modes.

- (b) The above proposed modifications and attached report dated August 19, 1981 be forwarded to Regional Council for endorsation, and for confirmation that the changes clarify and reinforce the existing compliance of the new City of Hamilton Official Plan with the Official Plan of the Municipality of Hamilton-Wentworth.
 - (c) That, together with Regional Council's endorsation, the proposed modifications be submitted to the Minister of Municipal Affairs and Housing for approval.
15. That a six month extension of draft approval, for Application SA 78-08, Quincy Court, John F. Petis, owner, located north of Stone Church Road East between Upper Gage Avenue and Upper Ottawa Street, be recommended to the Region.
16. That the Minister of Municipal Affairs and Housing be requested in his review of Proposed Amendment No.1 (The Waterfront Plan) to the Official Plan of the Halton Planning Area to consider:
- i. Reallocating LaSalle Park from a "Priority B" to a "Priority A" status in the proposed Amendment, in view of the City of Hamilton's concern over erosion of the shoreline at the Park; and,
 - ii. Moving the reference to consultation with the City of Hamilton, Region of Hamilton-Wentworth and the Hamilton Region Conservation Authority in the preparation of a master plan for Burlington Beach, located on page -v- of Appendix 2, to an appropriate location as policy in Part B of the Plan. In this regard, it is suggested that the Regional Waterfront Parks policies on page 13 of the Amendment would be a suitable location.

Explanatory Note - The City of Hamilton, as an adjacent Municipality has been circulated Proposed Amendment No.1 to the Official Plan for the Halton Planning Area for comment by the Ministry of Municipal Affairs and Housing.

17. That the City make an application to the Employment Development Office of the Federal Government for a grant under the Canada Community Development Program to pay for three technicians (and related costs) to carry out housing research over a 46 week period in 1982.

Explanatory Note - The Federal Government pay 100% salary and expenses to give work experience. The City is using the program for the Master Plan for Culture and Recreation this year.

18. That Item 2(ii) of the 16th Report of the Planning and Development Committee with respect to Zoning Application 79-13 for properties at Nos.1151, 1155 and the rear of Nos.1165 and 1171 Upper James Street be rescinded.

Explanatory Note - Item 2(ii) requires a grading plan to be submitted for approval of the City Engineer as a condition of the rezoning proposal. The proposed zoning required the approval of site, grading and landscaping plans prior to the issuance of a building permit, therefore it is not necessary to require the approval of a grading plan at this time.

19. That the Director of Real Estate be authorized and directed to negotiate the acquisition of the row housing consisting of 66, 72, 74 and 76 Fullerton Avenue at the current market value for eventual demolition.

Two interior properties of the row housing complex, consisting of 68 and 70 Fullerton Avenue, are in an advanced state of deterioration due to neglect and fire damage and are beyond rehabilitation. While the City has the authority under the Planning Act to demolish these two properties because of the failure of the owners to comply with outstanding work orders, the Committee recommends that the Director of Real Estate be given the option to negotiate the acquisition of 68 and 70 Fullerton Avenue in the event the owners indicate the desire to dispose of them. It should be noted that while any demolition expense would be added to the tax roll, the acquisition of 68 and 70 Fullerton Avenue would eliminate the need of the City incurring this initial expense which could be better used towards the purchase of the properties.

It is further recommended that the Finance Committee be requested to recommend the method of financing the acquisition and demolition of all six properties.

Explanatory Note - Due to the substandard condition of all the properties and having regard to the fact that the two interior properties, namely, 68 and 70 Fullerton Avenue which are not viable to repair, cannot be safely demolished without causing damage to the adjoining properties and the fact that all properties with the exception of one have outstanding work orders, the Committee feels it has no other alternative but to recommend acquisition and demolition of all properties.

20. That the Building Commissioner be authorized to issue Demolition Permits for the demolition of residential buildings as outlined below for which application has been processed through the Building Department and the Planning and Development Committee:-

119 Hughson Street North	1441 Upper Ottawa Street
148 Beach Boulevard	252 Mary Street
1132 Upper Wellington Street	309 Hawkrige Avenue
1126 Cannon Street East	128 Cannon Street East

21. That the City Solicitor be authorized and directed to amend By-law 77-290 to appoint Plumbing Inspectors, pursuant to the Ontario Water Resources Act R.S.O. to up-date reference from By-law 76-12 to By-law 81-224.
22. That the City Solicitor be authorized and directed to amend By-law 77-47 to appoint the Chief Property Standards Officer to change the reference By-law from 76-12 to the latest amendment By-law 81-224.
23. That the following resolution dealing with Property Standards enforcement procedures be adopted:

WHEREAS Section 36 of The Planning Act prescribes the procedure to be followed in the enforcement of a By-law prescribing standards for the maintenance and occupancy of property within the municipality, and

WHEREAS frequently a property is sold to an unsuspecting purchaser or fictitious purchaser after lengthy appeals but before an Order issued by the Property Standards Officer becomes final and binding, and

WHEREAS under the above circumstances the enforcement procedures begin again against the new owner, and

WHEREAS considerable, valuable time is lost in correcting deficiencies on properties, and

WHEREAS this repeated procedure is a heavy burden on the tax payers' purse,

BE IT RESOLVED that:

1. The Provincial Government be requested to amend Section 36 (10) of The Planning Act by adding "the notice required under Sub-section 6" at the appropriate places so that Subsection 10 reads:

"(10) A notice served under Subsection 6 and an order served under Subsection 7 may be registered in the proper registry or land titles office and upon such registration any person acquiring any interest in the land subsequent to said registration of the notice and the order shall be deemed to have been served with the notice and order on the date on which the notice under Subsection 6 and the order under Subsection 7 was served and when the contents of the notice and the requirements of the order have been satisfied the clerk of the municipality shall forthwith register in the proper registry or land titles office a certificate that said requirements have been satisfied which shall operate as a discharge of such notice or order."
2. That the resolution be forwarded to all municipalities over 100,000 people and the local MPPs for endorsement.
24. That the City Solicitor be authorized and directed to prepare a By-law for the demolition of a two-car brick and frame garage located at 94-96 Long-

wood Road South and to clear away all debris caused by the said demolition pursuant to Subsection 21 of Section 36 of The Planning Act.

25. Approval of the list of applicants submitted herewith and authorization for the Department of Community Development to process grants and/or loans in an amount not to exceed \$7,500.00 with the actual amount of grant or loan to be determined by inspection of the property under the Property Standards By-law 74-74 and pursuant to By-law 78-113.

That the officials of the Corporation involved in this Programme be authorized to take all action that is necessary to process these loan applications and that the Mayor and City Clerk be authorized to execute on behalf of the City any documents required in connection with the Hamilton Rehabilitation Programme:

J. Blake, 47 Longwood Road North

26. Approval of the list of applicants submitted herewith and authorization for the Department of Community Development to process grants and/or loans in an amount not to exceed \$7,500.00 with the actual amount of grant or loan to be determined by inspection of the property under the Property Standards By-law 74-74 and pursuant to the Housing Development Act Regulation 688/74.

That the officials of the Corporation involved in this Programme be authorized to take all action that is necessary to process these loan applications and that the Mayor and City Clerk be authorized to execute on behalf of the City any documents required in connection with the Ontario Home Renewal Programme:

E. Mallory
97 Tisdale Street South

C. Curow
169 Kensington Avenue North

M. Pettit
46 Houghton Avenue North

M. Lie 223
East 25th Street

J. Bellamy
12 West 1st Street

E. Briarley
187 Tragana Avenue North

F. Ladanchuk
87 Sanford Avenue South

M. Digiaccio
13 Belmont Avenue

C. Palmerton
77 Province Street North

E. Cottrill
147 East 16th Street

J. Allison
501 Upper Wellington Street

P. Marshall
4 Kenmore Road

J. Kuciaba
583 Britannia Avenue

27. That the City approve the Agreement by Owner to Accept Compensation from Filitsa Kandilas for the purchase by the City of all interest in the real property known as Municipal No.159 Bay Street North for the total sum of \$33,821.25. The subject property is required by the City for the

proposed park in Central Neighbourhood and is to be charged to Account #0405-X90106.

28. That Frank Husack Limited and Max Ritts Limited carrying on business as Sunshine Homes be granted an extension of the construction commencement on Parts 26, 28 and 30, Plan 62R-820 to July 1st 1982 and an extension of the construction completion date to December 31st, 1982.
29. That Hamilton General Homes (1971) Ltd. be granted an extension of the construction commencement date of Parts 6 and 8, Plan 62R-820 to July 1st, 1982 and an extension of the construction completion date to December 31st, 1982.
30. At its meeting held June 23, 1981, City Council, in adopting Section 18 of the 17th Report of the Planning and Development Committee, approved the sale of Lot 11, Hamilton Mountain Industrial Park No.1 to Costas N. Regatos and Chris Gotsopoulos for the price of \$50,418.00. The Purchasers, through their Solicitor, advised the Committee at its meeting held September 9, 1981 that they were unable financially to carry out the purchase of the property in question. After discussing this matter with the solicitor for the Purchasers, and after taking into account his clients' reasons for not proceeding with the transaction, the Committee respectfully recommends that this transaction be cancelled and that the City retain 50% of the deposit (\$5,041.00) namely \$2,520.50.
31. Approval of the sale of Lot 11, Hamilton Mountain Industrial Park No.1 to 379057 Ontario Limited, carrying on business as Valentino's Bakery, in the sum of \$5,418.00. A deposit of \$9,588.00 is being held by the City Treasurer pending Council approval. This transaction includes special building covenants, agreements and restrictions as set out below:

6.3 In consideration for the transfer of the hereinbefore described land to the transferee, in addition to payment of the sale price to the transferor, the transferee covenants and agrees to and with the transferor:

- 1) That the transferee shall commence construction of a building, having a minimum building area of 10,000 square feet upon the hereinbefore described land by not later than April 30th, 1982. Building area is the greatest horizontal area of a building within the outside surface of the exterior walls. Construction is considered commenced when the foundations have been installed as determined by the Office of the Building Commissioner.
- 2) That the transferee shall complete construction of the said building by not later than April 30th, 1983. The building is considered completed upon the issuance by the Office of the Building Commissioner of a Final Inspection Report.
- 3) That no transfer of the hereinbefore described land shall be made by the transferee until The Corporation of the City of Hamilton confirms that covenants 1 and 2 have been complied with.
- 4) In the event that the transferee does not comply with covenants 1 and 2 or either of them by the dates set out therein the transferee covenants and agrees that the transferee shall sell the land to the

transferor, free and clear of all charges, encumbrances, liens, claims or adverse interests whatsoever - if requested by the transferor, for the sale price herein (without any interest) - less (a) the deposit; (b) the commission paid (if any) by the transferor to a real estate agent; (c) arrears of realty taxes (including the local improvement charges) penalty and interest owing on them - and further, without increase or compensation for costs of any improvements, additions, alterations, services or structures on, in or under the said lands.

- 5) The said transferor as registered owner and the said transferee hereby apply to request and authorize the Land Registrar to have Notice of the covenants set out above entered on the register of the land being transferred herein to the said transferee.

6.4 The purchaser agrees that the restrictions, covenants and agreements in paragraph 6.3 shall not merge upon the closing of this transaction but shall continue in full force and effect for the benefit of the vendor, its successors and assigns.

6.5 The purchaser agrees that the deed to him which he shall execute shall be subject to and include the restrictions, covenants and agreements in paragraph 6.3.

This offer to purchase from 379057 Ontario Limited replaces an offer from this firm to acquire Lot 5, dated June 2, 1981.

32. (A) That Section XVIII of the City's Standard Subdivision Agreement be amended to read as follows:

"The City will compensate the Subdivider for the portion of the cost of services attributable to "the 5% lands" in one of the following ways, only:

- i) if "the 5% lands" are conveyed to the City, but are not needed for public purposes, the City will sell the said lands:
 - a) to the Subdivider at the price equal to market value, less the attributable cost of services, or
 - b) to a third party, at the price equal to market value.
- ii) if the said lands are conveyed to the City and are needed for public purposes, or if the City sells the lands under subsection (i)(b), the City will pay the Subdivider in cash for the portion of the cost of services attributable to "the 5% lands" after the Subdivider will have paid for the services already installed and will have installed and paid for the installation, maintenance and inspection of new services.
- iii) by receiving from the Subdivider, a cash payment in lieu of conveyance of "the 5% lands", such payment to be equal to market value, less the attributable cost of services.

- (B) That with the adoption of the foregoing recommendation, the following resolutions attached be rescinded:

Item 37 of the Report of Board of Control, adopted by Council on May 8, 1962

Item 28 of the Report of Board of Control, adopted by Council on June 12, 1962

Item 32 of the Report of Board of Control, adopted by Council on August 28, 1962

Item 26 of the Report of Board of Control, adopted by Council on October 30, 1962

- (C) That the City Solicitor be directed to prepare and the Mayor and City Clerk be authorized to execute, agreements to amend the Subdivision Agreements for Oakington Estates Phase V.
33. That the City Treasurer be authorized to release the holdbank in the amount of \$5,120.68 to Martin-Stewart Contracting Ltd. in connection with the Norman "Pinky" Lewis Recreation Centre, pending receipt by the Treasury Department of the required release forms from the Contractor and the Legal Department. A balance of \$1,000.00 is to be held to cover deficiencies in workmanship.
34. That the Site Plan Control Application DA-81-53 for property at No.13 and 15 Inglewood Drive be approved subject to the following:
- (a) modifications to the plans related to dimensions, notes, grades and landscaping as marked in red on the submitted plans, and
 - (b) the approved plans be included in a site plan control agreement between the owner and the City to be registered on title
35. That Agreements registered as Instrument No.363909 A.B. on February 6, 1975 and Instrument No.06653 C.D. on March 25, 1976 (Development Application DA-74-49) which established development control for lands located at 414 to 436 Jackson Street West, inclusive, be discharged and that the development be exempted for any further site plan control approvals for swimming pools and accessory buildings.
- NOTE: The Agreements related to plans and drawings for a 10 unit townhouse development on the north side of Jackson Street West, west of Paulette Street. The project has been completed and is presently under individual freehold ownership.
36. That Mohawk Gardens Phase I Subdivision (Registered Plan M-222) located east of Upper Wentworth Street and north of Franklin Road be exempted from the requirement of amending the registered development agreement with respect to the installation of above ground and inground swimming pools.

NOTE: It is considered that Site Plan Control is not required with respect to the installation of above ground and inground swimming pools for the lands described as Mohawk Gardens Phase I Subdivision (R.P. M-222).

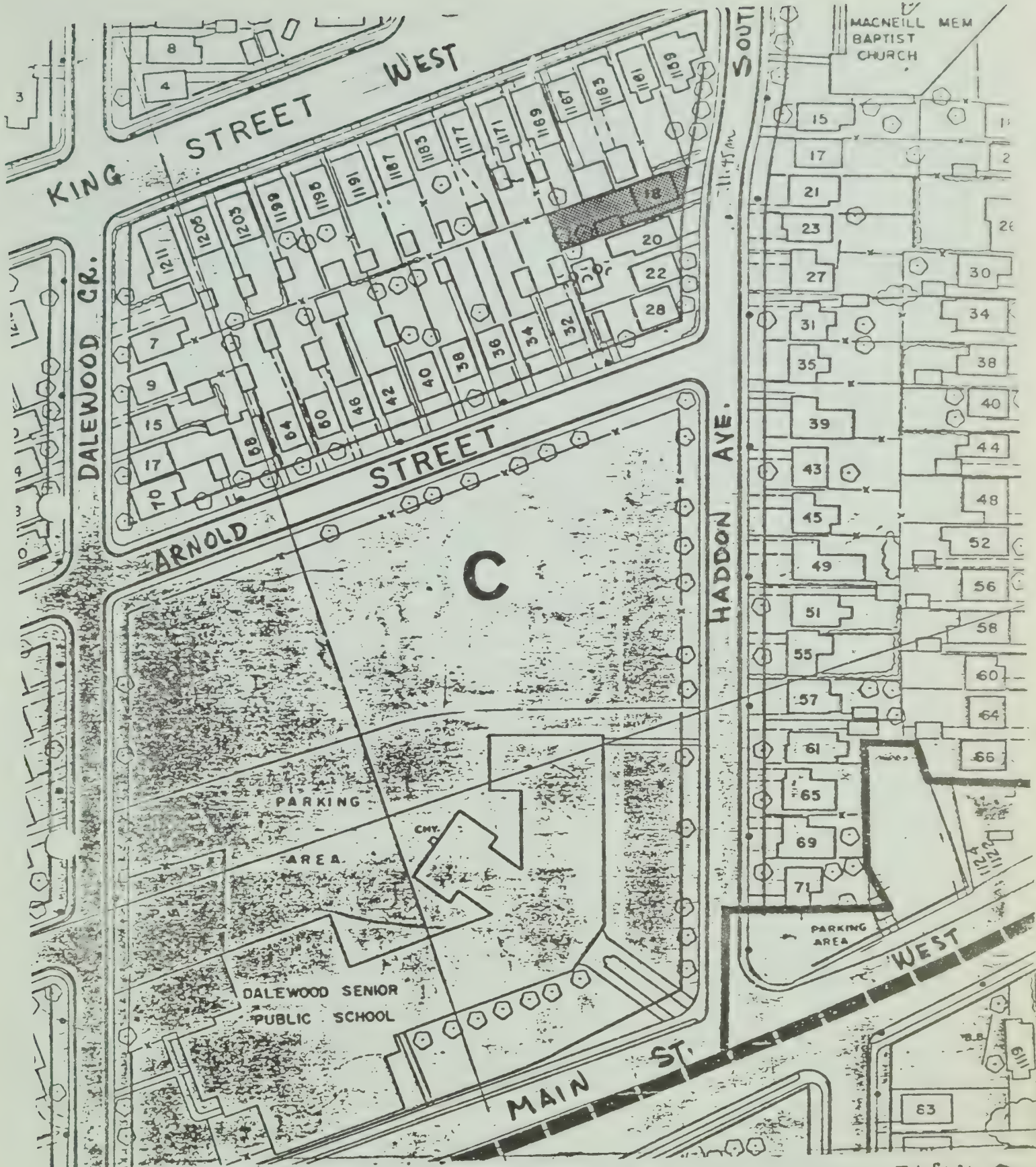
37. That leave be granted to introduce the following Bills:-

- (a) Bill D-126 - A By-law to authorize Demolition and Clearing of a Garage, Debris or Refuse at Municipal No.94-96 Longwood Road South
- (b) Bill D-127 - A by-law to amend Zoning By-law No.6593 respecting land located at Municipal No.863 Upper Wentworth Street
- (c) Bill D-128 - A by-law to amend Zoning By-law No.81-188 respecting land located at Municipal No.292 East 24th Street
- (d) Bill D-129 - A by-law to amend Zoning By-law No.6593 respecting lands located at Municipal Nos. 81 to 89 Cannon Street West
- (e) Bill D-130 - A by-law to amend Zoning By-law No.6593 respecting land located at Municipal No.201 James Street South

Respectfully submitted

Alderman W. M. McCulloch
Chairman

JDT:bg
September 9, 1981



LEGEND

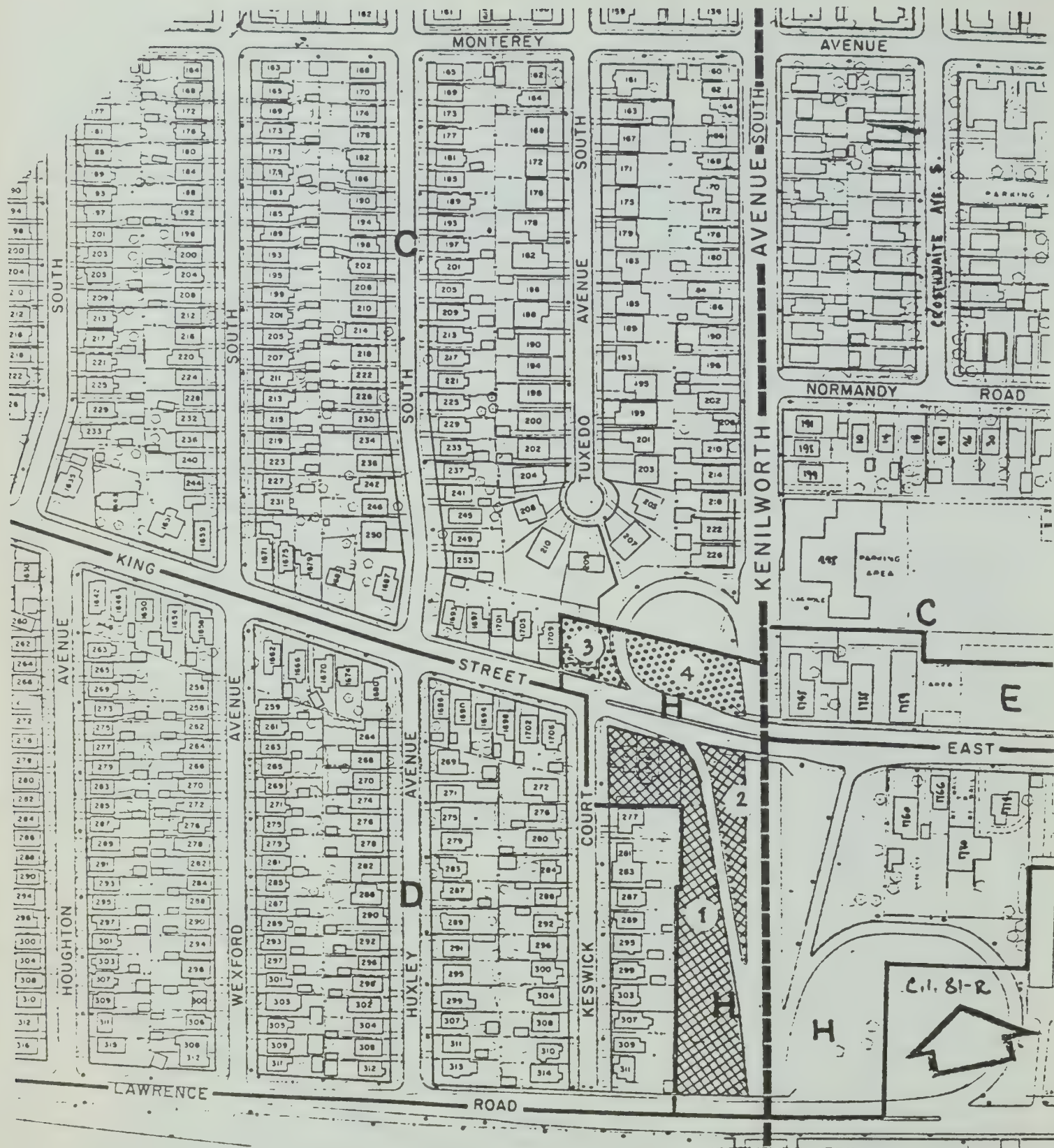


Change in zoning from "C" (Urban Protected Residential, etc.) District to "C" Modified.

D-19

APPENDIX "A"

E



LEGEND

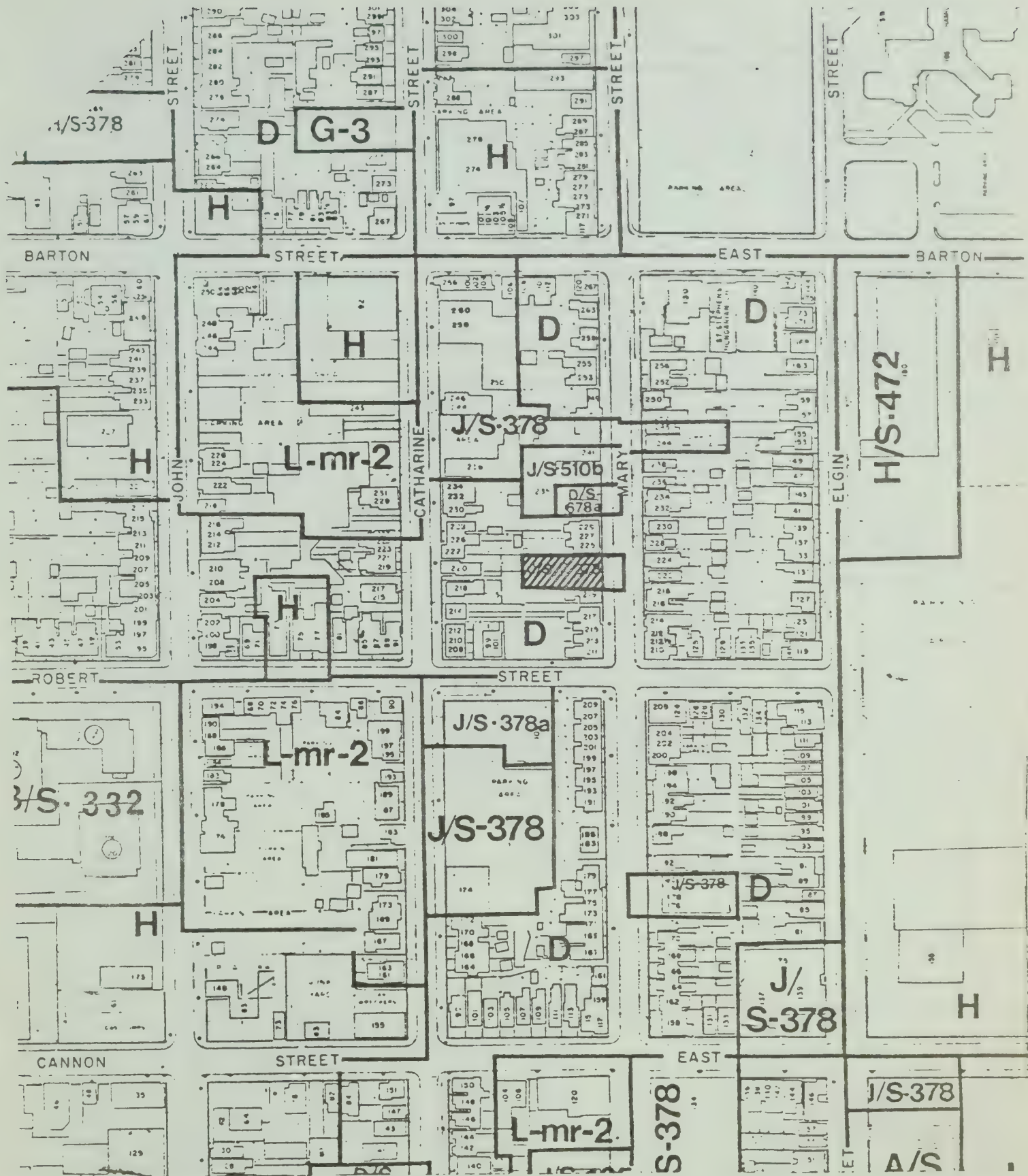
Lands for which a change in zoning from "H" (Community Shopping and Commercial, etc.) District to the following zoning is proposed:

Blocks 1 & 2

"D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District.

Blocks 3 & 4

"C" (Urban Protected Residential, etc.) District.

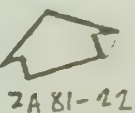


LEGEND



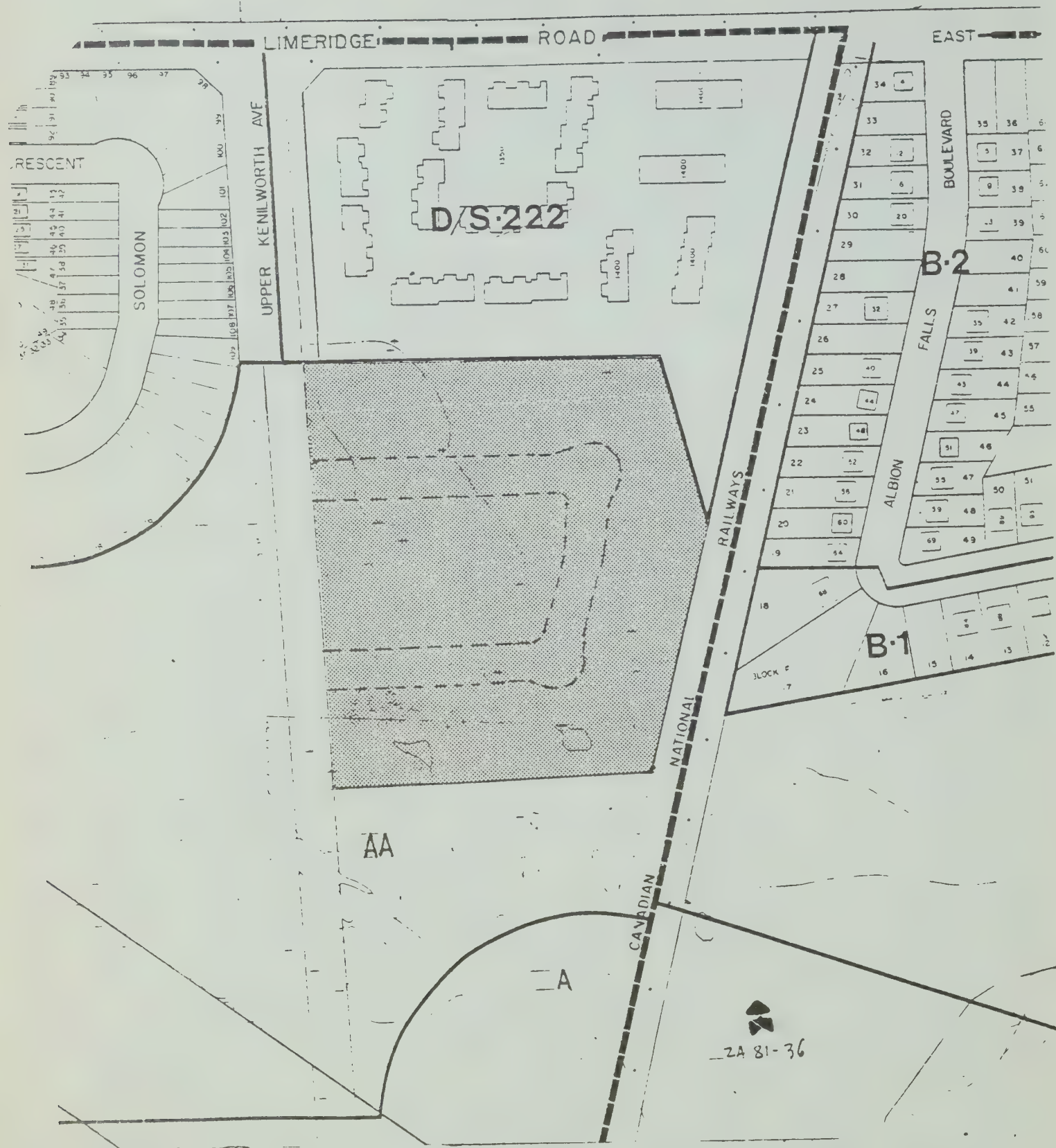
Site of the subject application.

D-21

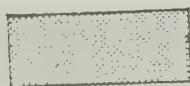


APPENDIX "C"

E

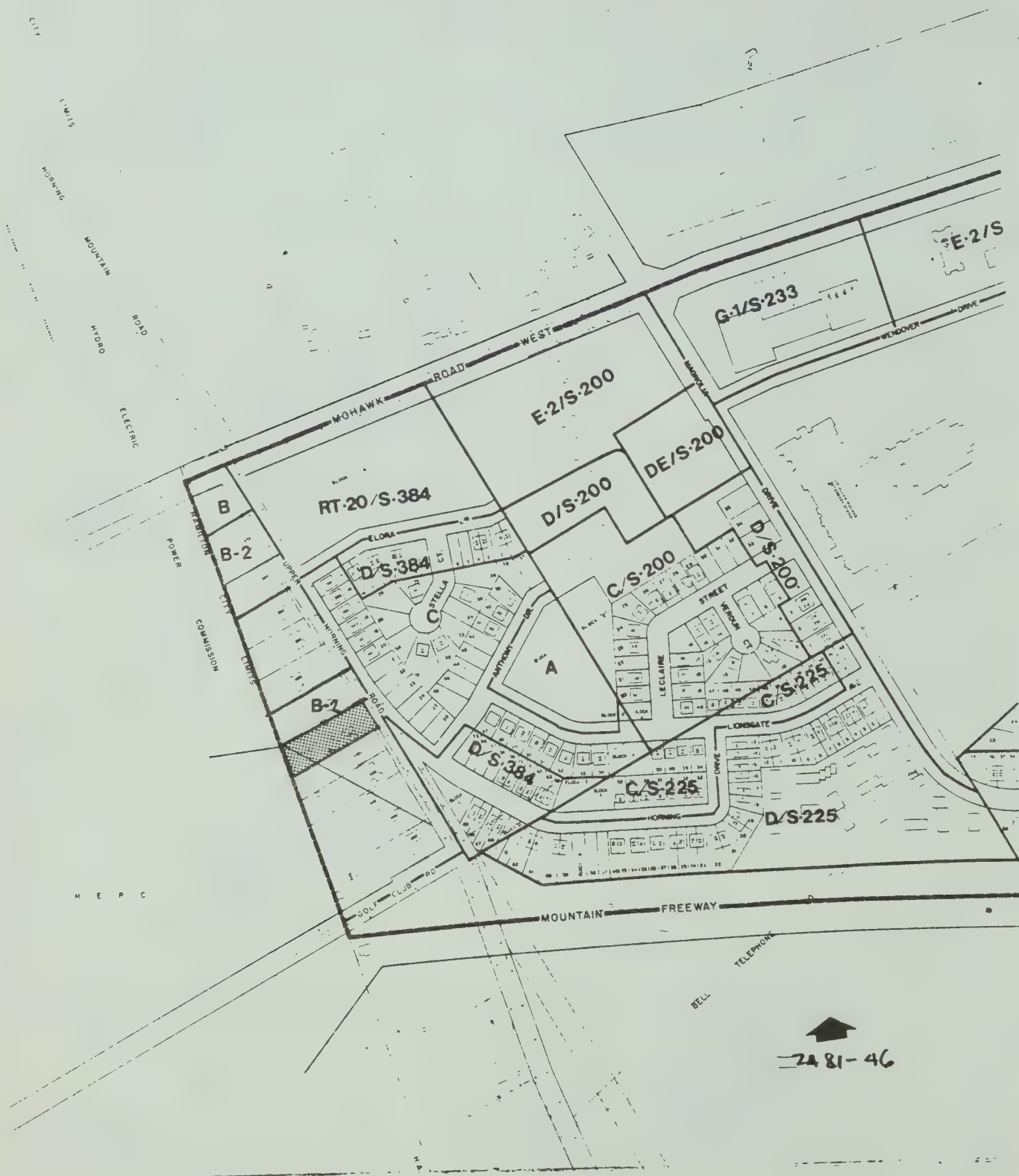


LEGEND



Lands for which a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District is proposed.

APPENDIX "D"



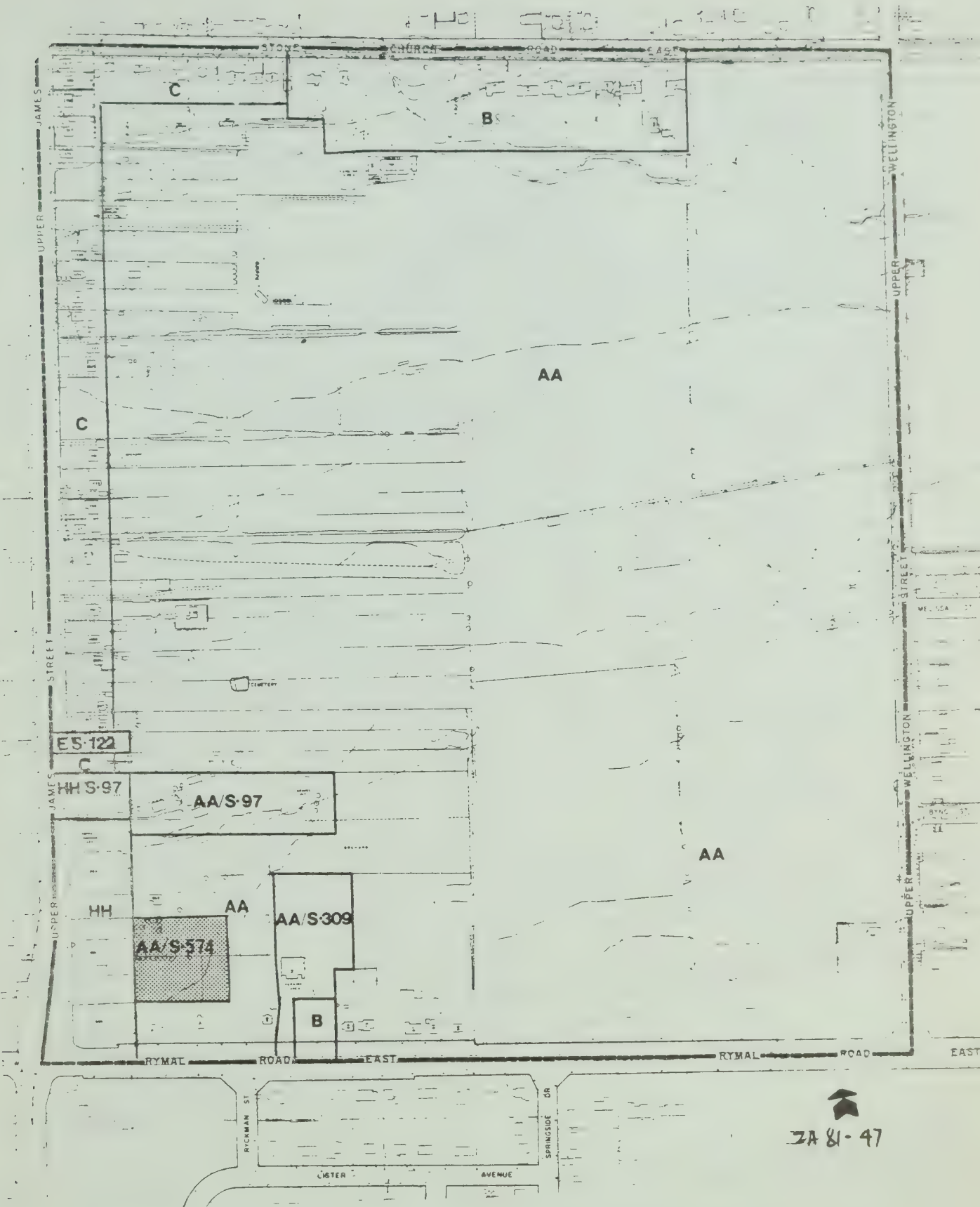
2481-46

LEGEND



Change in zoning from "B" (Suburban Agriculture and Residential, etc.) District to "B-2" (Suburban Residential) District.

APPENDIX "F"

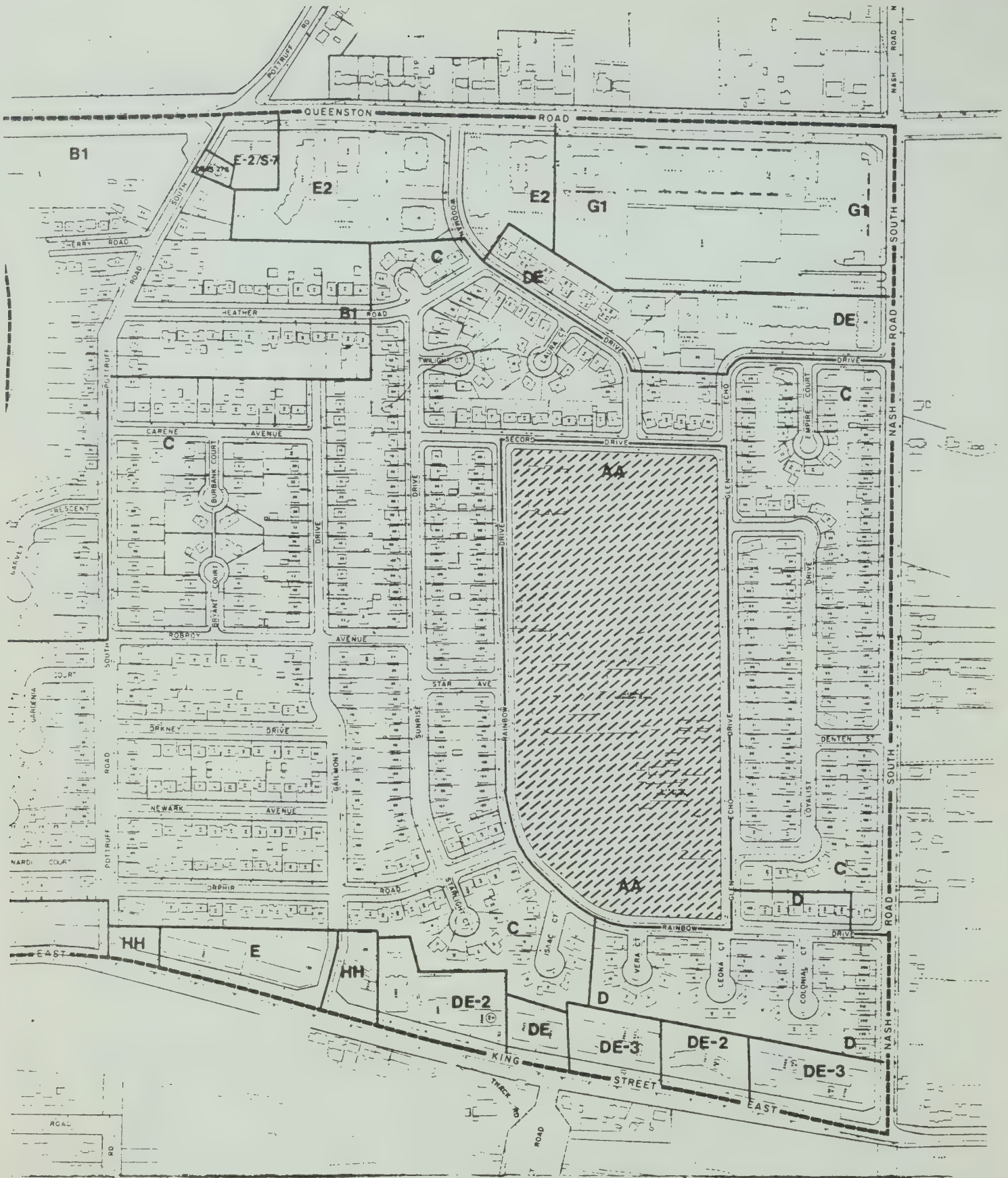


2A 81-47

LEGEND



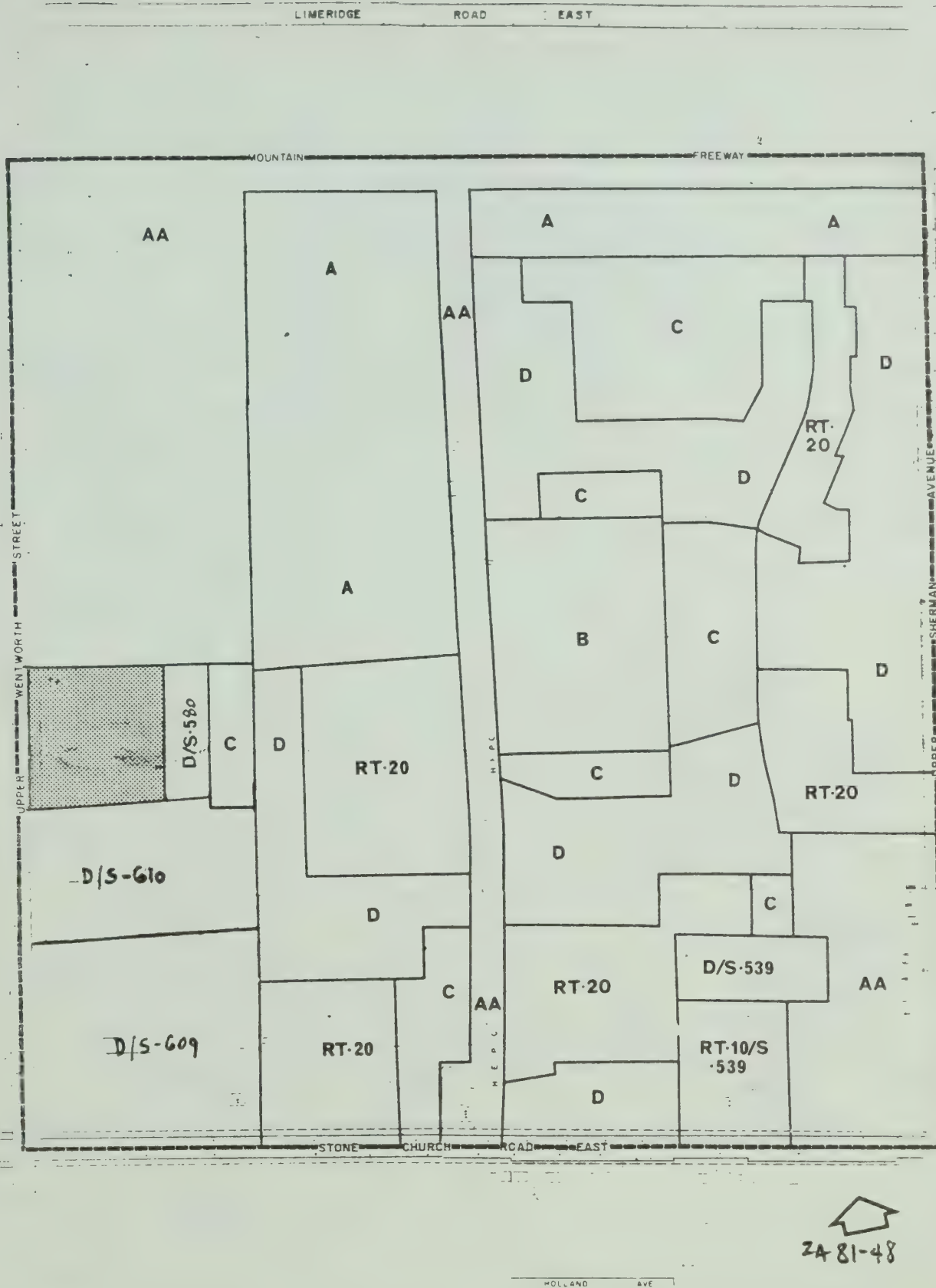
Site of temporary parking lot.



LEGEND



Change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District.



LEGEND

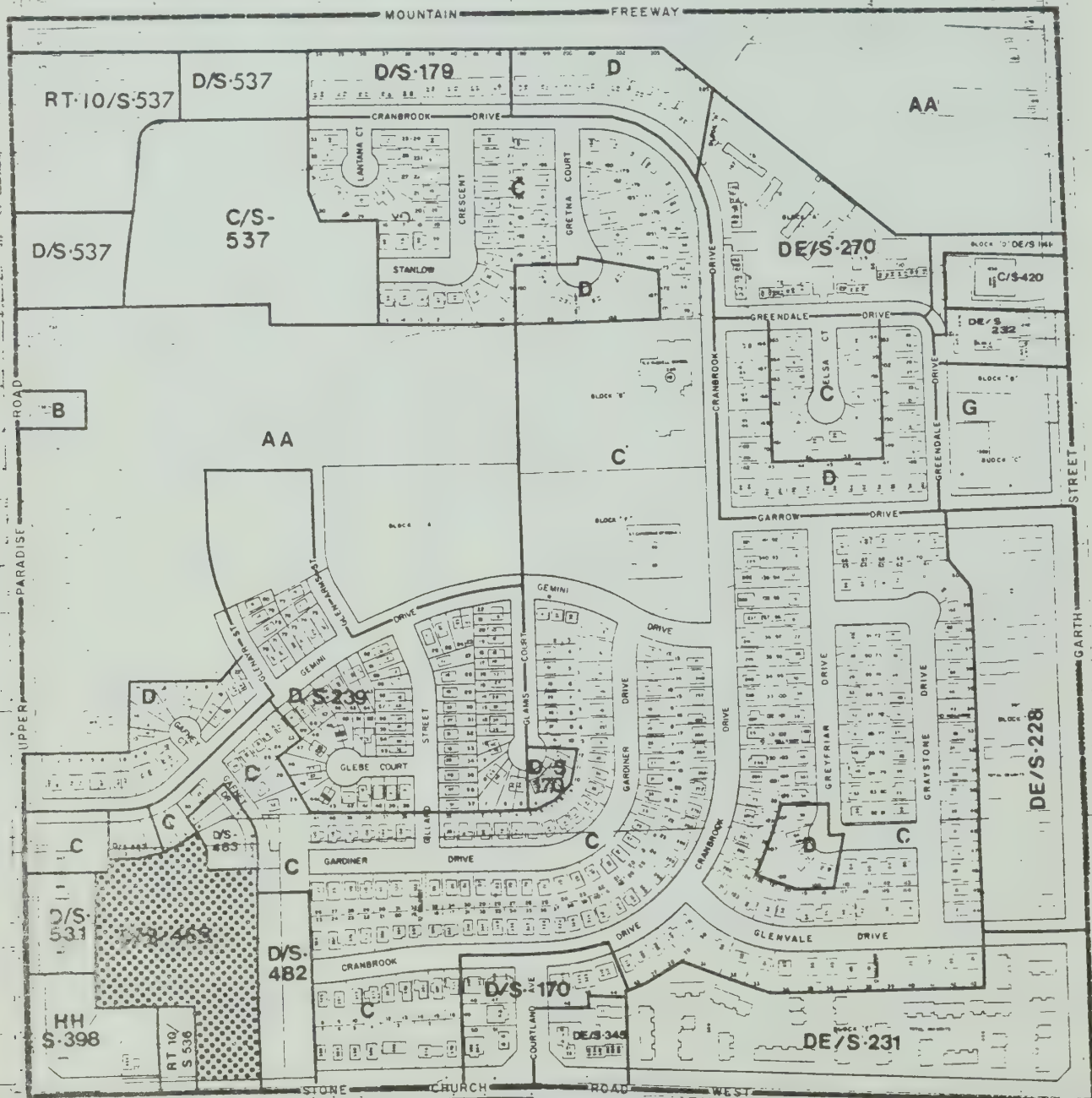


Site of the application.

D-27

APPENDIX "I"

E

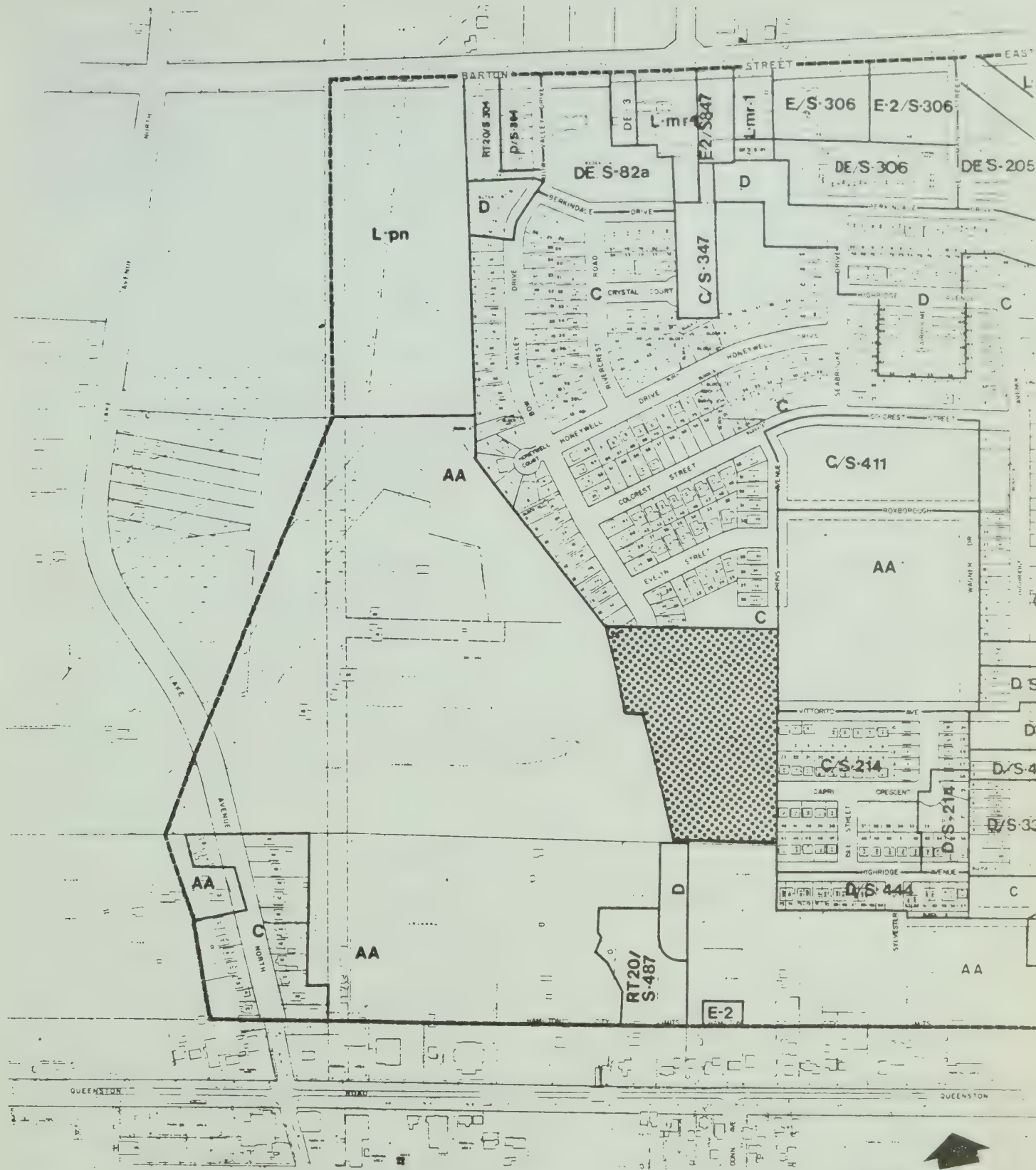


2A81-51

LEGEND

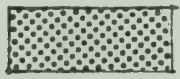


Change in zoning from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "RT-10" (Townhouse) District.

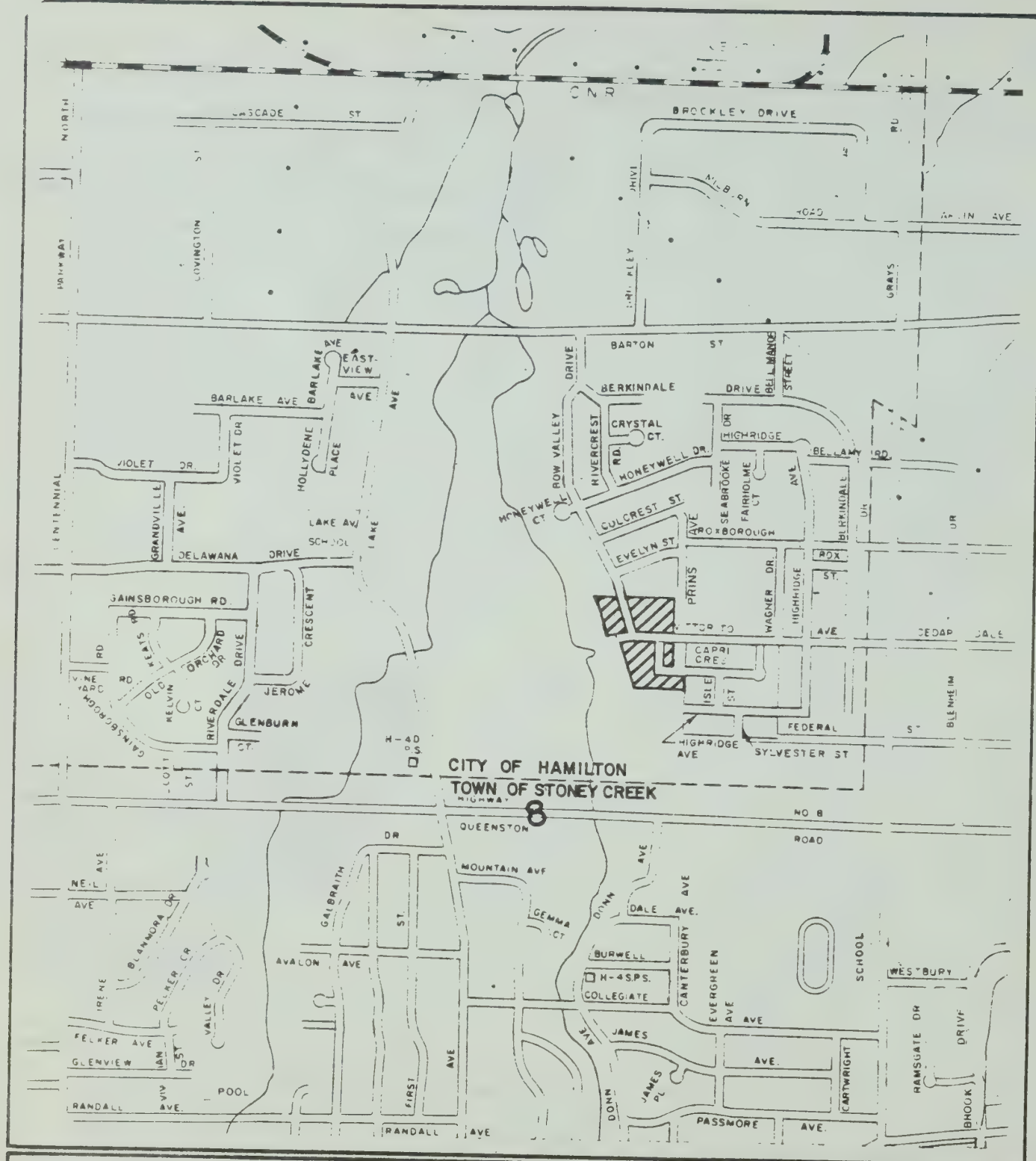


2A 81-50

LEGEND



Change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District.



Location Plan For

VALLEY HEIGHTS

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend



PROPOSED SUBDIVISION

North



Scale

1:12 000

Date

August 1981

Reference File No.

25T-81004

Drawing No.

81-H-96



THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

Planning and Development Department
71 Main Street West, Hamilton, Ont. L8N 3T4

August 19, 1981

Refer to File No. P5-3-2-351

Attention of

Your File No

R E P O R T:

The Ontario Municipal Board's Interim Decision of June 17, 1981 on City of Hamilton Official Plan Amendment No. 351 and Zoning By-law No. 80-205, (Loblaws Proposal - Upper Wentworth).

BACKGROUND

In its above-noted interim decision, the Board has concluded that Regional Council, by endorsing an area Official Plan which in the Board's opinion, does not comply with Regional Official Plan policies, has significantly reduced the concept of the Sub-Regional Centres. In this regard, the Board's decision has been reserved to allow the City to request amendment to the Regional Official Plan, in which case such amendment is to be referred to the Board for a continued hearing. Should Regional Council not wish to amend its Plan, the Board is to be so notified and a final decision will be issued.

This report will examine the ramifications of various conclusions reached by the Board to identify an appropriate recommended action to secure approval of Official Plan Amendment No. 351 and Zoning By-law 80-205.

ESSENCE OF THE BOARD'S FINDINGS

1. While the new City of Hamilton Official Plan addresses the downtown area as the "Regional Centre", it fails to designate and adequately recognize "sub-regional centres" as set out in the Regional Official Plan.
2. The "sub-regional centre" is nothing more than the commercially designated Limeridge Mall site, comprising only retail, office and institutional uses while lacking high density residential development on-site, necessary to support rapid transit.

...2...

3. Current low population growth and high commercial vacancy rates in the downtown area have both rendered the sub-regional centre concept optimistic and "over-blown".
4. In view of all of the above, the Board concluded that the City has "ignored" policies of the Regional Official Plan. By endorsing the City's Plan, Regional Council has therefore "abandoned" the principle of sub-regional centres. In order to proceed with the City's applications, the Board indicates on Page 7, that an amendment to the Regional Plan should be "supported by a comprehensive study of the subject area to identify the reasons why the Sub-Regional Centre policy should now be abandoned".
5. The Board also concluded that Loblaw's proposal was "a major redevelopment with the potential effect of substantially altering the pattern of land use in the planning unit affected", in this case Bruleville Neighbourhood.

DISCUSSION

1. Policy 2.2.2.2 of the Regional Official Plan required the City to include policies which recognize the sub-regional centre as multi-use areas which include the following activities:
 - (a) Retail
 - (b) Offices
 - (c) Residential
 - (d) Social, Community and Health Services.

In keeping with the intent of that policy, the City has recognized, in policy and without specific designation, two multi-use nodes similar in function to, and smaller in scale than, the Central Area. Further, a Sub-Regional Shopping Centre, (i.e. the highest order shopping centre) would function as a focus for this multi-use area.

2. Notwithstanding Policy 2.2.2.1 of the Regional Official Plan which describes the location of sub-regional centres as "approximate", the Board concluded that the sub-regional centre on the Mountain is limited to the Limeridge Mall site only. This finding is contrary to the evidence of Mr. Lychak and Mr. Gaasenbeek, that the Mountain sub-regional centre is contained within the boundaries of Thorner Neighbourhood. Clearly, the Loblaw's lands are still governed by the "Urban Policy Area" policies of the Regional Official Plan.

3. Mr. Lychak indicated in testimony that sub-regional centres would not constrain neighbouring uses, but rather, that such uses within the urban policy area would complement the sub-regional centre.
4. The Board appears to equate a sub-regional centre in this region with the intensive development concentrations associated with Toronto's rapid transit system. The Board further appears to believe that current slow population growth and high downtown office vacancy rates are indicative that the mountain sub-regional centre will not achieve a "minimum" one million square feet of office development necessary to qualify as a "sub-regional centre" in the Metropolitan Toronto context as indicated by Genstar's planning consultant Mr. Sorrenson, thus failing to realize Official Plan policy. It must be noted that neither the City nor Regional Plans set a minimum for office and commercial floorspace or residential units necessary to fulfill the sub-centre concept. The Plans are not predicated on achieving a specific intensity of development, but rather are directed to achieving a range of uses serving Mountain residents as laid down by the Thorner Neighbourhood Plan.
5. The Board appears to have overlooked the designations within the Thorner Neighbourhood for substantial residential development as envisaged by the Regional Official Plan which would implement the sub-regional centre concept. It should be noted that this residential component within the Thorner Neighbourhood fulfills the requirements for residential uses as set out in the Regional Official Plan.
6. The Board also appears to believe that the viability of any rapid transit facility above the Escarpment is wholly dependent on a substantial sub-regional centre terminus including substantial high density residential development. By downplaying the sub-regional centre to simply a "sub-regional commercial centre", such a facility is jeopardized, further indicating Regional Council's "abandonment" of the sub-regional centre concept. Notwithstanding that this facility is still under study, it is evident that the Board has placed far more emphasis on the nature of the terminus, than on the linkage and transfer of passengers to the transit network on the Mountain.
7. The Board's discussion of Secondary Plan policies in the new Official Plan is extraneous given that the Loblaw's proposal does not constitute "major redevelopment" of what are presently vacant lands, and that the proposal complies with the Bruleville Neighbourhood Plan designation of "commercial". In this vein the Loblaw's proposal does not "substantially alter the pattern of land use" in the neighbourhood and is not a departure from the Bruleville Plan.

ANALYSIS OF REGIONAL AND NEW CITY OFFICIAL PLAN POLICIES

As intimated above, it would appear that the Board has, throughout its interim decision, questioned the lack of conformity between the Regional Official Plan and the new City of Hamilton Official Plan. By failing to perceive what, in staff's opinion is indeed a present conformity between the two Plans, the Board has indicated alternative actions to be undertaken by the City which are unjustified.

The following review of relevant policies in both Plans has been undertaken to demonstrate the present conformity between the Plans. Regional Planning staff have been consulted in this regard and have indicated their concurrence with this analysis.

1. Subsection 2.2.2 of the Regional Plan contains the basic policies of the sub-regional centre concept. In this regard:

2.2.2 SUB-REGIONAL CENTRES

It shall be the policy of Regional Council:

- 2.2.2.1 To designate two sub-regional centres, including one above the Mountain and one below the Mountain. The approximate location of these centres is shown on Map No. 1.
- 2.2.2.2 To require that the Official Plans of the City of Hamilton and Town of Stoney Creek include policies which recognize the sub-regional centres as multi-use areas which include the following activities:
 - (a) Retail
 - (b) Offices
 - (c) Residential
 - (d) Social, Community and Health Services
- 2.2.2.3 To require that the development of the sub-regional centres will be provided with adequate public transit and access.
- 2.2.2.4 To consider locating some of its Regional services in the sub-regional centres and encourages the location of relevant services of other levels of government in these centres.

By comparison, the new City Official Plan contains the following:

Subsection A.2: Land Use Concept:

- o promote the central area as the major multi-use focus of community life and commerce for the City and Region, supplemented by two multi-use nodes similar in function and smaller in scale, at other locations.

Policy A.2.2.2: Commercial Uses:

- 2.2.2 Council recognizes that the COMMERCIAL structure of the City operates within a hierarchy of categories ranging from the Central Policy Area (which, as defined by the Regional Official Plan, is intended to function as the "Regional Centre"), to Local Convenience Commercial uses. Except for the Central Policy Area, the hierarchy is not designated on Schedule "A" to this Plan. The location and distribution of such categories will be identified through Secondary Plans as set out in Subsection D.2.

Policy A.2.2.7: Commercial Uses:

- 2.2.7 Council recognizes SHOPPING CENTRES as appropriate forms of Commercial development necessary to the economic health of the City and the Region. In this regard, Council will utilize the following classifications of SHOPPING CENTRES in the preparation of Secondary Plans:

- i. A Sub-Regional Shopping Centre will have a minimum of 55,000 square metres of gross floor area and function as the focus of a multi-use node as provided for in the Regional Official Plan....

Discussion: It is evident from the above that:

- i. The concept of two sub-regional centres as multi-use areas was clearly introduced in the new Hamilton Official Plan under the general Land Use Concept statement;
 - ii. in keeping with policy 2.2.2.2 of the Regional Plan only policy recognition need be given to such multi-use sub-regional centres;
 - iii. City Council anticipates that a major shopping centres facility would be associated with the multi-use sub-regional centres;
 - iv. the lack of designation is irrelevant; and,
 - v. the City clearly has not "abandoned" the sub-regional centre concept.
2. It is evident from the Board's interim decision that a great deal of significance has been attached to a major new public transit facility serving the sub-regional centre on the Mountain. In review of the Board's decision it would seem that it believes the concept of public transit

service to the sub-regional centres has also been abandoned by the Region given the perception that a reduced sub-regional centre will impair the public transit element. Lack of employment, parking and high density residential development opportunities in proximity to the sub-regional centre will further impair the viability of the public transit element.

Subsection 9.3 of the Regional Official Plan contains the following policies dealing with public transit:

- 9.3.3.(b) The sub-regional centre on the Hamilton Mountain be a focal point for transit service above the escarpment in Hamilton and Stoney Creek, with a major high speed transit connection between this centre and downtown Hamilton;
 - (c) The eastern sub-regional centre in the Region be a focal point for transit service to east Hamilton and that part of Stoney Creek below the escarpment. Direct transit connections between this centre and downtown Hamilton will be encouraged.
- 9.3.7 That the planning of transit routes and intermediate capacity transit lines take into account the location of:
- (a) Major employment and retail concentrations, universities and schools;
 - (b) Concentrations of high density residential developments;
 - (c) Terminals of inter-city transportation systems;
 - (d) Major medical and social service centres;
 - (e) Housing developments for the elderly, the handicapped and the socially disadvantaged; and,
 - (f) Social amenities such as parks, theatres, museums, etc.,
- 9.3.8 - That a transit system with increased transit capacity receive a high priority in transportation planning in the urban areas of the Region, especially in the corridor connecting downtown Hamilton to the sub-regional centre on the Hamilton Mountain.

...7...

- 9.3.9 To develop public parking facilities in co-operation with the Area Municipalities where they are deemed necessary to support the operation of the urban transit system and encourage the Area Municipalities to adopt public parking policies that promote the use of transit.
- 9.3.10 To consider public transit as an integral part in the planning of major new residential development and all new commercial and employment centres in the urbanized portion of the Region. Accordingly, the Area Municipalities shall provide policy guidance through their Official Plans and, where deemed appropriate, secondary plans for such areas shall include provisions for safe, convenient and direct pedestrian access to the public transit system.
- 9.3.11 To encourage the Area Municipalities to allow for the concentration of high density residential development in the immediate proximity of major transit corridors and transfer points in the transit system, in order that the transit system is immediately available for the use of as many persons as possible.

By comparison, the new City Official Plan contains the following:

Subsection B3.2 Public Transit

- 3.2.3 Council will promote Sub-Regional Centres as secondary focal points for local TRANSIT service and further, will co-operate with other levels of government in any investigation to increase TRANSIT capacity linking the Central Policy Area and the Sub-Regional Centres to other land uses.
- 3.2.5 In the planning of TRANSIT services, and in accordance with the Regional Official Plan, Council will encourage the appropriate Authorities to consider the location of the following:
- i. Major employment and retail concentrations and schools;
 - ii. Concentrations of high-density Residential developments;
 - iii. Terminals of inter-city transportation systems;
 - iv. Major medical and social service centres;
 - v. Housing developments for the elderly and/or the handicapped; and,
 - vi. Parks, theatres and museums.

- 3.2.6 Council will encourage and co-operate with the appropriate Authorities to ensure that all Shopping Centres and extended Commercial areas are provided with an acceptable level of TRANSIT service.
- 3.2.7 In accordance with the intent of the Regional Official Plan, Council will co-operate with the Region to establish ancillary public parking to promote and facilitate the use of PUBLIC TRANSIT.
- 3.2.8 In the preparation of Secondary Plans, Council will encourage and co-operate with the Transit Authority to locate TRANSIT stops, where possible and feasible, in close proximity to passenger generators. Furthermore, Council will support where practicable, the integration of those stops with pedestrian crosswalks.
- 3.2.11 To minimize the need for new road facilities in congested corridors and to accommodate large volumes of TRANSIT users, Council may consider the potential of a new and innovative intermediate capacity transit line connecting downtown Hamilton to an appropriate location on the Mountain. Accordingly, Council will co-operate with the Region and other levels of government in any studies to determine an appropriate location for the intermediate capacity transit line and have regard for the following:
 - i. Major employment and retail centres;
 - ii. Concentration of high-density Residential developments;
 - iii. Major cultural, medical and institutional nodes;
 - iv. Areas of higher population densities; and,
 - v. The possibility of operating the intermediate capacity transit lines within exclusive rights-of-way.

Policy C.7.3: Residential Environment:

- C.7.3 Council will ensure that the local RESIDENTIAL ENVIRONMENT is of a condition and variety satisfactory to meet the changing needs of area residents. Accordingly, Council will:
 - vii. Encourage development at densities conducive to the operation of Public Transit which utilizes designs or construction that are energy efficient.

Discussion: It is again evident from the above policies that the City has clearly established compliance to Regional Policy in that:

- i. The Mountain Sub-Regional Centre is recognized as a focal point for transit service (i.e. not necessarily rapid transit solely);
 - ii. The City has encouraged the same Transit planning criteria specified in the Regional Plan;
 - iii. The sub-regional centres are to be linked to the Central Area;
 - iv. A higher capacity transit link between downtown and the mountain is promoted;
 - v. Ancillary public parking to support the public transit system is promoted in co-operation with the Region;
 - vi. The need for pedestrian access to the transit system is recognized; and,
 - vii. The integration of the transit system with major development, including new residential development, is clearly encouraged.
3. Notwithstanding the absence of a conceptual sub-regional centre designation within Schedule "A" to the new Official Plan, the attendant land use policies for those designations surrounding the Limeridge Mall site within Thorner Neighbourhood provide the flexibility to achieve the diversity of uses contemplated by the Regional Official Plan.

CONCLUSIONS:

1. *The new City of Hamilton Official Plan does not conflict with the intent of the Regional Official Plan. Nor has the City "abandoned" the sub-regional centre concept as the Ontario Municipal Board concludes. By acknowledging Regional endorsement of the City's new Official Plan it is difficult to reconcile the Board's finding that Regional Council has, at the same time abandoned the sub-regional centre concept. It would appear that the Board has not fully understood the contents of the City's new policy, or for that matter, the requirements on the City of the Regional Official Plan.*

...10 ...

2. The Board has instructed City Council to request the initiation of an amendment to the Regional Official Plan to reflect, supported by a comprehensive study to establish the basis for, abandonment of the sub-regional centre concept. Upon submission for approval, the Minister would be requested to refer this amendment to the Board for a continued hearing on the City's applications. As noted above, there are no grounds for such action on the basis of present non-compliance between the Plans. However, in view of the Board's conclusion that Limeridge Mall comprises the "sub-regional centre", it is evident that some inconsistency has been read into the Plans.
3. In view of the above, City Council should initiate minor changes, not to the Regional Official Plan to reflect "abandonment", but rather to the City's new Official Plan to reinforce and clarify the concept of sub-regional centres, as well as to obviate the misinterpretation made by the Board. In this regard, the City's new Official Plan should be modified to:
 - i. Designate "sub-regional centres" on Schedule "A" to the Plan;
 - ii. Include policies which deal explicitly with "sub-regional centres"; and,
 - iii. Include policies which clarify the role of sub-regional centres and the relationship between these and surrounding land uses.
4. These changes and this report should be forwarded to Regional Council for endorsement. This endorsement should be included with the City's application to the Minister of Municipal Affairs and Housing for approval of the proposed modifications to the new City of Hamilton Official Plan.

VJA/rgh/f

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its SEVENTEENTH Report for 1981 and respectfully recommends:

AIRPORT

1. That City Council reaffirm its position to the Ministry of Transport, respecting the Crash/Fire Protection Services at Hamilton Civic Airport as follows:

"That the Hamilton Fire Department continue to staff the emergency services at the Hamilton Civic Airport, conditional upon Transport Canada providing an additional \$155,000. per year to July 1, 1983, at which time the provision of these emergency services will be turned over to Transport Canada.

PURCHASING

2. That the recommendation of the Director of Purchases respecting the following be approved:

- (i) BABCOCK ALLATT LTD., Downsview, Ontario
For the supply & delivery of One Babcock Allatt C300 Asphalt Paver in accordance with specifications issued by the Director of Purchases and Vendor's Tender for the total sum of\$52,638.00
Federal & Ontario Sales Taxes Exempt.

NOTE: Lowst of 3 tenders.

- (ii) 3 M CANADA INC, London, Ontario
For the supply and delivery of 2,000 gallons of Crash Foam used at the Civic Airport for the total sum of ...\$14,860.00

NOTE: Lowest of several tenders received by the Federal Ministry of Transport.

CITY ENGINEERING

3. That the City Solicitor be directed to proceed with the preparation of a By-law to widen Caroline Street by incorporating therein all of Part 2, Plan 62R-5977.

NOTE: In conjunction with the ongoing sale of lands to 100 Market Ltd., lands for the widening of Caroline Street are being retained by the City. The necessary By-law should be processed at this time in order to facilitate the sale.

REAL ESTATE

4. (A) That the City sell the road allowance on Ferguson Avenue North to the Hamilton Harbour Commissioners, being part of Lot 13 Broken Front Concession, Township of Barton. Subject parcel has a frontage along the northerly limit of Ferguson Avenue of 20.12m (66 feet) more or less, by a depth of 122.16m (400 feet) more or less, together with concrete training tower located on this parcel in the total amount of \$24,050.00. This transaction shall be closed 60 days after the passing of a By-law to stop-up, close, sell and advertise the sale of road closure on Ferguson Avenue North but no later than March 30, 1982.

The sale of this closed road allowance is subject to:

- (i) an easement in favour of the Regional Municipality of Hamilton-Wentworth, its successors and assigns, over Parts 2 and 5 shown on attached copy of Plan 6R-5568, to maintain a storm sewer.
- (ii) an easement in favour of Union Gas, its successors and assigns over Parts 4, 5 and 6 on attached copy of Plan 62R-5568 to service Public Works Canada.

Provided that the rights of the purchaser to purchase the said lands are subject to the rights of the abutting owner, Public Works Canada, on the west, pursuant to 461 of The Municipal Act R.S.O. 1970, as amended, to purchase that part of Ferguson Avenue upon which its land abuts, to the middle line of Ferguson Avenue, as outlined in blue. Public Works Canada shall have 30 days from the passing of the By-law referred to in paragraph 7 of this Offer, to exercise its right to so purchase this portion of Ferguson Avenue for the sum of \$13,725.00.

In the event Public Works Canada exercises its right to so purchase, this agreement shall remain in full force and effect except as follows:

- (i) The Purchaser, the Hamilton Harbour Commissioners shall be entitled to purchase only that portion of Ferguson Avenue upon which the Purchaser's land abuts to the middle line of Ferguson Avenue, having a frontage on the north limit of Ferguson Avenue of 10.06m (33 feet) more or less by a depth of 122.16m (400 feet) more or less, together with concrete training tower located on this land.
- (ii) The purchase price for the lands described in sub-paragraph (i) shall be for \$10,325.00 and the offer to purchase shall be deemed amended mutatis mutandis.

Except where the lands have been previously offered to the abutting owner by By-law and the abutting owner has not exercised his right to purchase the said lands pursuant to Section 461 of The Municipal Act R.S.O. 1970, as amended, this agreement is conditional on the purchaser or his designate being the abutting owner of the said lands at the time of closing the transaction.

(B) That Item 1 (vi) of the 15th Report of the Traffic and Engineering Committee adopted by City Council on September 30th, 1980, be amended to read as follows:

"That the Hamilton Harbour Commission satisfy the requirements of Imperial Oil, Bell Canada and Hamilton Hydro with respect to the disposition of their existing aerial or underground plant, to the satisfaction of the City of Hamilton and that the City of Hamilton grant an easement to Union Gas over Parts 4, 5 and 6, Plan 62R-4468 to service Public Works Canada."

TRAFFIC

5. That Schedule 10 (Stops at Intersections) of By-law 66-100 To Regulate Traffic be further amended by adding thereto the following item, namely:

"Sherbrooke	Eastbound & Westbound	Rothsay".
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6. That Schedule 15 (Designated Traffic Lanes) be further amended by adding thereto the following items, namely:

"Barton	100 feet east of Locke and Locke	2nd lane from north curb	Anytime	Westerly to Southerly
Barton	100 feet east of Locke and Locke	North	Anytime	Westerly to southerly & Westerly to Northerly".

7. That Schedule 17 (No Right Turn at Certain Intersections) be further amended by deleting therefrom the following item, namely:

"Barton	Westerly	Locke	4:00 p.m. - 6:00 p.m. Monday to Friday".
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8. That Schedule 26 (No Parking Areas) be further amended by adding to Section A (No Parking Anytime) the following items, namely:-

"Inverness	North	Upper Wellington to East 11th
Thorner	North	77 feet west of Bishopsgate to the westerly end of the Street".

9. That Schedule 29 (No Stopping Areas) be further amended by adding to Section A (No Stopping Anytime) the following item, namely:

"Ashley	West	180 feet south of Cannon to a point 41 feet southerly".
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10. That no further action be taken respecting the matter of traffic volumes within the Kentley Neighbourhood, at this time.

11. That the application of Westdale Burger Incorporated, 918 Main Street West to use a portion of Bond Street for parking purposes be denied.

REGIONAL ENGINEERING

12. Whereas City Council at its meeting held 80 03 25 adopted clause 9 of the TWELFTH Report of the Planning and Development Committee which recommended that a subdivision agreement be entered into between the City and DiCenzo Construction Company Limited and "Sunshine Homes" as owners of the proposed Subdivision, it is recommended

- (i) That the submitted schedules for the estimated cost of services be amended and approved for inclusion in the proposed Subdivision Agreement.
- (ii) That the City's share of the cost of development for this subdivision be charged to the Reserve for Services Through Unsubdivided Lands, Account No. 0280-12.

<u>Type of Work</u>	<u>Amount</u>
Preliminary roads and catch basins	\$ 77,959.-
Sidewalks and curbs	28,185.-
Final Roads	98,610.-
Sewers	7,725.-
Watermains	<u>3,166.-</u>
TOTAL:	\$215,645.-

- (iii) That the approval of the above clauses be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered.
- (iv) That in the event the Subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enter into a Standard Agreement for pre-servicing.

13. Whereas City Council at its meeting held 80 08 25 adopted clauses 6A & B of the TWENTIETH Report of the Planning and Development Committee which recommended that a Subdivision Agreement be entered into between the City and Tyka Investments Ltd. as owner of the subject lands, and

Whereas construction of all curbs, sidewalks, finished roads and associated works will be carried out entirely at the owner's cost which is estimated to be \$23,415.00, it is recommended that:

- (i) The submitted schedules for the estimated cost of services be approved for inclusion in the proposed Subdivision Agreement;
- (ii) The approval of the above clause be subject to the condition that work not be commenced until the final survey plan and the Subdivision Agreement have both been registered; and,
- (iii) In the event that the Subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enter into a Standard Agreement for pre-servicing.

14. That the application of Mr. A. Haralambopoulos, President of the Greek-Canadian Orthodox Church and Community to enter into an encroachment agreement with the City for a proposed wheel chair ramp at 233 East 15th Street be approved provided:

- (i) That the owner enter into an agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
- (ii) That an annual fee of \$1.00 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.

15. That the first paragraph of Item 21 of the TWENTY-FOURTH Report of the Traffic and Engineering Committee adopted by Council 79 07 31, be amended to read:

"That the application of Mr. J. Ginsberg of 41 Catharine Street North to install a sign which will encroach onto the road allowance of Catharine Street North by a maximum of 2.33 metres (7.67 feet) at a height of 3.51 metres (11.50) feet and to install a sign which will encroach onto the road allowance of King William St. by a maximum of 2.41 metres (7.92 feet) at a height of 4.11 metres (13.50 feet) be approved during the pleasure of City Council, provided:".

16. That City Council confirm the action of the Commissioner of Engineering in authorizing the request of Mr. P. Granger of the Jaycees to temporarily close Macklin Street from Dufferin Street northerly, on 81 09 27, from 7:00 a.m. to 4:00 p.m. in order to hold a soap box derby provided:

- (i) That all signing and barricading will be subject to the direction of the Regional Police Department and at no cost to the City;
- (ii) That clean-up will be carried out immediately following the event and prior to the re-opening of the City street, at no cost to the City;

- (iii) That a \$500,000 comprehensive general liability insurance policy naming the City as an added insured party be provided to save the City harmless from all actions, interests, claims, demands, costs, damages, expenses and loss.

17. That the information brochure on alleys in the City of Hamilton, appended hereto, be prepared by the Regional Engineering Department and made available to the public and that the funding for this brochure be made available from the Region's Transportation Engineering Administrative Account for Outside Services, #1357-0119.

MISCELLANEOUS

18. That Council inform the Minister of Transportation and Communications that, due to the frequent number of serious accidents involving unsafe trucks, the City of Hamilton is hopeful that serious consideration will be given to creating legislation which will effectively penalize those parties guilty of the operation of mechanically unsafe trucks within and around municipalities in the Province of Ontario.

BY-LAWS

19. That leave be granted to introduce the following bills:

- (i) Bill No. E83 - By-law to Amend Traffic By-law 66-100 Respecting Boulevard Parking
- (ii) Bill No. E84 - By-law to Close and Sell a Portion of Glover Mountain Road
- (iii) Bill No. E85 - By-law to Expropriate Land for Roadways and Municipal Services
- (iv) Bill No. E86 - By-law to Amend By-law No. 66-100 to Regulate Traffic
- (v) Bill No. E87 - By-law to Amend By-law No. 66-100 to Regulate Traffic

Respectfully submitted

ALDERMAN F. LOMBARDO
CHAIRMAN

R. C. Prowse
Secretary
September 21, 1981.

ALLEYS IN THE CITY OF HAMILTON

ORIGIN

All alleys in the City of Hamilton were created by plans of subdivision or by By-law. Generally, the alleys were established to provide access to rear yards.

TYPES OF ALLEYS

There are three types of alleys:

1. Public Unassumed
2. Public Assumed
3. Private Alleys (Rights-of-Way)

1. Public Unassumed Alleys

Where alleys have been created by a plan of subdivision and have had only limited maintenance performed by the City, they are termed public unassumed alleys.

The City has special legislation (The City of Hamilton Act, 1973), and By-Law No. 73-160 was passed pursuant to this Act permitting limited maintenance, e.g. removal of debris, dead trees and health hazards without affecting their unassumed status.

2. Public Assumed Alleys

Alleys may be assumed by:

- (a) By-law and (b) spending public funds on the work within the alley.

- a) The Regional Commissioner of Engineering may recommend to the Transport and Environment Committee and City Council that an alley be assumed by By-law if he has in his possession a sufficiently signed petition from the abutting owners to pave the alley under The Local Improvement Act.

- b) The alleys become assumed if public funds are spent on construction of sewers, watermains or pavement in the alleys.

3. Private Alleys (Right-of-Way)

Private alleys are privately owned lanes, usually for access to one or more properties. These private alleys are usually owned by one owner and several other abutting owners may use this lane as access to their properties. This right-of-way would normally be registered with the deed to each property. The City has no involvement in these private alleys.

HOW TO HAVE RUBBISH, CARS, FENCES, GARAGES, ETC. REMOVED FROM ALLEYS IN THE CITY OF HAMILTON

1. It is assumed that you have already asked the person who placed the item in the alley to remove it, and that he/she has not done so.
2. The City or Region will be able to help you in some cases, but it depends on what kind of alley it is: "public assumed"; "public unassumed", or "private".
3. "Public Assumed" alleys are normally paved and often have city "No Parking" signs in them. To have one of the following removed:

RUBBISH - Write or Call:

The Public Works Department, City Hall, Hamilton, Ontario
or
telephone: 527-0241 Local 281
and someone will come to clean it up.

E-7

* REFERRED TO IN ITEM 17 OF THE 17TH REPORT
OF THE TRANSPORT & ENVIRONMENT COMMITTEE

CAR - Write or Call:

The Traffic Division, Police Department
Central Police Station
Hamilton, Ontario
or
telephone 526-4425
and a traffic ticket will be issued.

FENCE OR GARAGE - Write or Call:

Regional Municipality of Hamilton-Wentworth
Department of Engineering
City Hall, Hamilton
or
telephone 526-4425
and steps will be taken to have the fence or garage removed.

4. If there isn't a "No Parking" sign, the alley may be what is called a "public unassumed alley". To have one of the following removed:

RUBBISH - Write or Call:

The Public Works Department
City Hall, Hamilton, Ontario
or
telephone 527-0241 Local 281
and someone will come to clean it up.

CAR, FENCE OR GARAGE

Write or telephone your lawyer, asking him/her to write to the person who placed the item (or to take legal proceedings against that person), requiring him/her to remove it. You would have to pay your lawyer's fees.

5. Where the alley is a private alley, (or right-of-way), to have one of the following removed:

RUBBISH, CAR, FENCE OR GARAGE

Write or telephone your lawyer, asking him/her to write to the person who placed the item, (or to take legal proceedings against that person) requiring him/her to remove it. You would have to pay your lawyer's fees.

6. If you are not sure what kind of alley it is, you may find out by telephoning the Regional Engineering Dept. at 526-4425.

7. If you wish to have a "public un-assumed" alley changed into a "public assumed" alley, so that the City will deal with the items in it, as described in (3) above, obtain a petition, by writing to:

Secretary (Engineering)
Transport and Environment Committee
City Hall, Hamilton, Ontario

The petition is a formal request that the City assume the alley by paving it with concrete, at the expense of the owners of the lands which abut the alley.

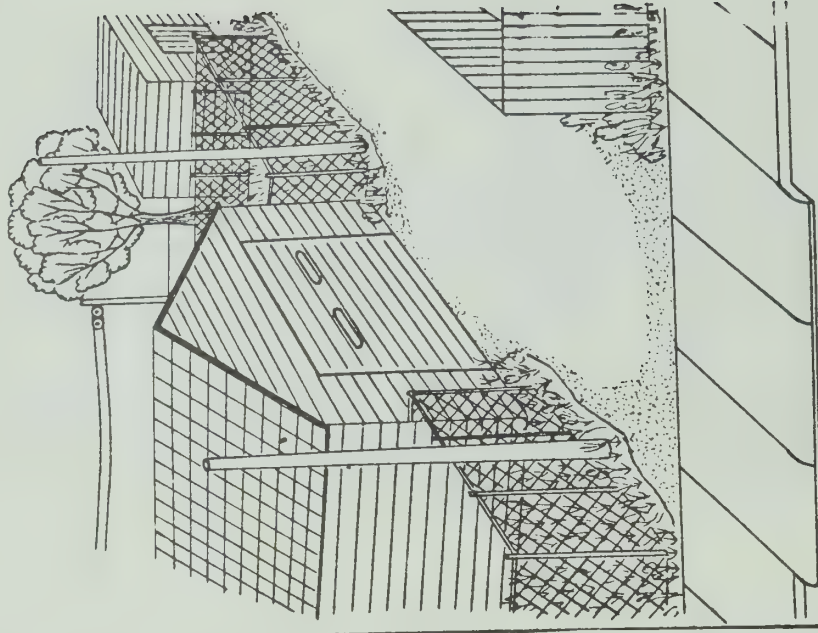
For the petition to be acted on, it need not be signed by all of the abutting owners. It is necessary, however, that it be signed by at least two-thirds of the abutting owners and that their properties be worth at least one-half of all the properties abutting.

You should take the petition around to the abutting owners, and when enough of them appear to have signed, send or take it to Mr. E. A. Simpson, the City Clerk who will decide whether it has been "sufficiently signed". If it has been, it will be submitted to the Transport and Environment Committee. If the Committee is in favour of having the City assume the alley, it will recommend to City Council. If City Council accepts the recommendation, the alley will be paved.

Should you have any further inquiries regarding alleys, please call the Regional Engineering Department at 526-4425.

ALLEYS

IN THE CITY OF HAMILTON



REGIONAL MUNICIPALITY
OF
HAMILTON - WENTWORTH

81 09 18

REPORT OF THE PERSONNEL COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Personnel Committee presents its THIRTEENTH Report for 1981 and respectfully recommends:

1. Approval of the attached Hamilton Fire Department Emergency Plan.
2. Approval of the acceptance of the following tender:

KING SEAGRAVE LTD., WOODSTOCK, ONTARIO.

For the supply and delivery of One (1) King Seagrave 85' Articulated Two Boom Platform Fire Truck, with trade-in, in accordance with specifications issued by the Director of Purchases and Vendor's Tender for the total sum of ..
..... \$309,000.00

Note: Lower of 2 tenders

NOTE: For the information of the Members of Council, sufficient funds for the purchase of this vehicle are available in the Depreciation Account.

RESPECTFULLY SUBMITTED,

ALDERMAN P. DRAGE,
CHAIRMAN
PERSONNEL COMMITTEE

G. W. McMillan,
Secretary
September 23, 1981

Refer to Section 1 of the Thirteenth Report of the Personnel Committee.

September 23, 1981

HAMILTON FIRE DEPARTMENT

EMERGENCY PLAN

HAMILTON FIRE DEPARTMENT

EMERGENCY PLAN

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HAMILTON FIRE DEPARTMENT

EMERGENCY PLAN

Upon activation of this plan, the Fire Chief will report to the Disaster Control Group, the Deputy Fire Chief shall assume overall command of operations.

The Senior Officers on duty will be under the supervision of the Deputy Chief.

Service Officers are to perform their duties as per the Emergency Plan.

The on duty Senior Officer in charge of the City shall initiate the Telephone Fan-out Procedure.

FIRE CHIEF

1. DEFINITION: Chief of the Hamilton Fire Department or designate.
2. GENERAL RESPONSIBILITY: To establish and maintain a comprehensive operation plan for emergency operations in the City of Hamilton, and to direct the Fire/Rescue service operations as applicable to the Hamilton Fire Department.
3. DUTY POST: Disaster Control Group, or Operations Command Post.
4. SUBORDINATES: Assume active command of all Fire/Rescue operations, planning and service activities.
5. SPECIFIC DUTIES AND ACTION:
 - A. PRE - EMERGENCY
 1. Establish, in co-operation with the Personnel Committee, an organizational structure and staffing for emergency operations of the Hamilton Fire Department.
 2. Establish and maintain liaison with co-operating agencies including Hamilton-Wentworth Regional Police, etc.
 3. Report to the Personnel Committee and Disaster Control Group, on the operational status of the Hamilton Fire Department services for Emergency operations, and submit recommendations thereon.
 - B. EMERGENCY CONDITIONS
 1. Report to Disaster Control Group or Operations Command Post.
 2. Implement Hamilton Fire Department Emergency Plan.
 3. Provide support and assistance as requested or required.
 4. Keep the Disaster Control Group informed of the conditions of the emergency situation as related to fire department operations.
 5. Determine mutual aid requirements to and from other jurisdictions of the Hamilton-Wentworth Region.
 - C. POST EMERGENCY
 - F.5 1. Debrief and critique with Disaster Control Group and subordinates.
 2. Prepare a complete report on activity and personnel, submit to Personnel Committee or Disaster Control Group.

DEPUTY FIRE/RESCUE DISASTER COMMANDER

1. DEFINITION: The Deputy Chief of the Hamilton Fire Department or his designate.
A Senior Chief Fire Officer, reporting directly to the Fire Chief or his designate.
2. GENERAL RESPONSIBILITIES: To assume the duties and responsibilities of the Fire Chief in his absence, or carry out duties assigned by the Fire Chief. (See Hamilton-Wentworth Emergency Plan).
To assume operational command of all Fire/Rescue forces and activities.
3. DUTY POST: Operations Command Post, or Administration Headquarters.
4. SUBORDINATES: All operational personnel.
5. SPECIFIC DUTIES AND ACTION:
 - A. PRE - EMERGENCY
 1. Familiarize self with the Hamilton Fire Department Emergency Plan, and the Regional Municipality of Hamilton-Wentworth Emergency Plans.
 2. Familiarize self with resources and facilities in his division.
 3. Report operational readiness to Fire Chief.
 - B. EMERGENCY CONDITIONS:
 1. Establish communications with Operations Command Post or the Administration Headquarters for briefing and instructions.
 2. Assume overall command of all operational activities at the Operations Command Post upon the Chief reporting to the Disaster Control Group.
 3. Establish liaison, brief and instruct subordinate Commanders in operational strategy.
 4. Keep current on emergency situation and potential escalating conditions, and advise Chief of same.
 5. Maintain constant aggressive command and surveillance to institute and reinforce required action within the division with special attention to actual and potential problem areas.

6. Collect, compile, and record required data and transmit as instructed.
7. Maintain constant awareness of and strict compliance with basic safety principles and practices.
8. Shall be responsible for all Fire Department activities in terminating the incident.

C. POST EMERGENCY

1. Debrief and critique subordinates.
2. Prepare complete report on activities and personnel and submit to Fire Chief.

TITLE ON DUTY ASSISTANT DEPUTY CHIEFS AND DISTRICT CHIEFS

1. DEFINITION: Hamilton Fire Department chain of command.
Assistant Deputy Chiefs and District Chiefs reporting directly to the Deputy Chief.
2. GENERAL RESPONSIBILITY: To assume operational command of all assigned Fire/Rescue forces and activities within a designated area or a sector post.
3. DUTY POST: Operations Command Post or Administrative Headquarters.
4. SUBORDINATES: All companies under his command.
5. SPECIFIC DUTIES AND ACTION:
 - A. PRE - EMERGENCY
 1. Familiarize self with Hamilton Fire Department Emergency Plan and the Regional Municipality of Hamilton-Wentworth Emergency Plan.
 2. Familiarize self with resources and facilities under his command.
 - B. EMERGENCY CONDITIONS
 1. Report to and establish communications with Operations Command Post (Deputy Chief) for briefing, instruction, and reporting.
 2. Report operation readiness to Deputy Chief.
 3. Establish liaison, brief and instruct subordinate Officers.
 4. Maintain constant aggressive command and surveillance to institute and reinforce required action within the area with special attention to actual and potential problem areas in assigned area or sector.
 5. Maintain constant awareness of and strict compliance with basic safety principles and practices.
 - C. POST EMERGENCY
 1. Debrief and critique with subordinates.
 2. Prepare complete report on activities and personnel and submit to Deputy Chief.

RECALLED OFF DUTY ASSISTANT DEPUTY CHIEF

1. DEFINITION: An off duty recalled Assistant Deputy Chief who reports to the Senior Officer in charge of the city.
2. GENERAL RESPONSIBILITIES: Assumes responsibility for the protection of the city not involved in the major incident.
3. DUTY POST: Administration Headquarters or as instructed.
4. SPECIFIC DUTIES AND ACTION:
 - A. PRE - EMERGENCY
 1. Familiarize self with the Hamilton Fire Department Emergency Plan, the Regional Municipality of Hamilton-Wentworth Emergency Plan, Mutual Aid and other related plans.
 - B. EMERGENCY CONDITIONS
 1. Responsible for the fire protection of the city not involved in the major emergency.
 2. Senior Officer(s) under his command are to be used in the most efficient manner that the situation dictates.
 3. Implement Mutual Aid and additional aid, if required.
 4. Spare apparatus to be placed in service when sufficient men report for duty.
 5. Report on a regular basis to the Chief or his designate, the status of manpower, equipment and resources that are available.
 6. Initiate two twelve hour shift systems if the emergency is of a long duration.
 7. Be responsible for the scheduling of relief for both the emergency and the off duty personnel that were called in.
 8. Delegate person(s) to record personnel called in using the designated forms.
 - C. POST EMERGENCY
 1. Debrief and critique with subordinates.
 2. Prepare a complete report on activities and personnel and submit to the Fire Chief.

HAMILTON FIRE DEPARTMENT TELEPHONE FAN-OUT PROCEDURE

To be implemented by the Chief or his designate when emergency conditions require additional manpower.

A. ACTION TO BE TAKEN BY THE SENIOR OFFICER IN CHARGE OF THE CITY

1. Call an off duty Assistant Deputy Chief.

B. ACTION TO BE TAKEN BY THE ASSISTANT DEPUTY CHIEF

1. Call the District Chiefs or his Acting District Chiefs.

C. ACTION TO BE TAKEN BY THE DISTRICT CHIEFS

1. Call the Officer in Charge of each station on his platoon.

D. ACTION TO BE TAKEN BY THE OFFICER IN CHARGE OF STATIONS

1. Call the Company Officer of stations of more than one company.
2. Call the firefighters of his own company.

ORDER OF CALL

1. The Chief or his designate will designate the platoon to be called in.
2. All called personnel will report to their own station, unless otherwise ordered.

PLANS OFFICER - DIVISIONAL CHIEF OF TRAINING

1. DEFINITION: The Plans Officer shall report directly to the Deputy Chief.
2. GENERAL RESPONSIBILITY: To establish, maintain, and train an operations section for the collection and analyzing of intelligence data, projecting emergency probabilities and preparation of required plans.
3. DUTY POST: Operation Command Post or Administration Headquarters.
4. SUBORDINATES: Intelligence, Equipment & Maintenance Officer, Records Clerk.
5. SPECIFIC DUTIES AND ACTION:
 - A. PRE - EMERGENCY
 1. Establish organizational structure including Division support staffed with required personnel.
 2. Assist operational personnel as requested or required in areas of responsibility and duties.
 3. Prepare and maintain necessary maps, data, visual aids, etc.
 4. Prepare a list of target hazards and critical areas and recommend special protection measures required.
 5. Establish water resources locator system for each district and a master locator of water distribution system and auxiliary water supplies for the City of Hamilton and surrounding districts.
 6. Establish liaison with Hamilton-Wentworth Regional Police and resource agencies.
 7. Establish appropriate records and reporting system.
 8. Conduct necessary briefing and training for the Department and report to the Fire Chief on the state of readiness.
 - B. EMERGENCY CONDITIONS
 1. Report to Operation Command Post for briefing.
 2. Alert for recall and brief subordinates.
 3. Provide support and assistance as requested or required.
 4. Keep Fire Chief informed of any significant change in intelligence information.

SUPPLY OFFICER: DIVISIONAL CHIEF OF ADMINISTRATION OR DESIGNATE

(ACTING CHIEF FIRE PREVENTION OFFICER)

1. DEFINITION: Staff Officer who shall report directly to the Deputy Chief.
2. GENERAL RESPONSIBILITY: Responsible for procurement of all provisions materials and specialized support equipment pertaining to Service Operations.
3. DUTY POST: Administration Headquarters or alternate site, designated by Communications Control.
4. SPECIFIC DUTIES AND ACTION:
 - A. PRE - EMERGENCY
 1. Establish and maintain a current inventory of provisions apparatus, fuel, and equipment available for emergency operations.
 2. Establish appropriate records and reporting system.
 3. Establish a plan for care and feeding of personnel during extended emergency operations.
 - B. EMERGENCY CONDITIONS
 1. Responsibilities as required.
 2. Report to Plans Officer for briefing.
 3. Establish liaison with other agency supply personnel as to Vital Services Directory and Hamilton-Wentworth Regional Peacetime Emergency Plan.
 4. Co-ordinate feeding and housing of personnel in close liaison with Plans Officer.
 5. Set up supply service area, arrange for and maintain flow of required fuel, material and equipment as requested or instructed. Usual suppliers to be used, then to Vital Services Directory.
 6. Confer with Plans Officer in the determination of current and projected needs.
 7. Enforce strict compliance with all sanitation requirements.
 8. Practice and enforce all pertinent safety rules.

9. Maintain complete and accurate records including:

- (a) Inventory of manpower, equipment supplies.
- (b) Incoming requests for the above.
- (c) Disposition of active and completed requests.
- (d) Chronological record of service and command dispatching activities.
- (e) Assemble documents, records, maps, etc., for submission to Plans Officer.

C. POST EMERGENCY

- 1. Debrief and critique with subordinates.
- 2. Prepare a complete report on activities and personnel and submit to Plans Officer.

TITLE: INTELLIGENCE OFFICER - CHIEF FIRE PREVENTION OFFICER OR DESIGNATE

1. DEFINITION: The Intelligence Officer shall be the Chief Fire Prevention Officer or designate.
2. GENERAL RESPONSIBILITIES: Provide necessary intelligence service and information concerning conditions around the emergency area. Investigate the circumstances leading to the cause of the emergency.
3. DUTY POST: Operation Command Post or Administration Headquarters.
4. SUBORDINATES: As required.
5. SPECIFIC DUTIES AND ACTION:
 - A. PRE - EMERGENCY
 1. Familiarize self with emergency plan duties.
 2. Responsibilities as required.
 - B. EMERGENCY CONDITIONS
 1. Report to Plans Officer for briefing.
 2. Provide technical information in relation to building construction, contents or hazards that could be encountered.
 3. Provide additional chemical reference materials or information.
 4. Contact local experts for on scene assessments of emergencies.
 5. Work closely with the Hamilton-Wentworth Regional Police and other agency investigative personnel.
 - C. POST EMERGENCY
 1. Debrief and critique with subordinates.
 2. Prepare complete report on activities and personnel and submit to Plans Officer.

TITLE: COMMUNICATIONS SUPERVISOR

1. DEFINITION: The Communications Supervisor shall be the Fire Chief's Communications Supervisor and shall report to Communications Centre and perform related duties.
2. GENERAL RESPONSIBILITY: The proper operation of all radio frequencies and telephone circuits.
3. DUTY POST: Communications Centre or alternate site.
4. SUBORDINATES: Communications personnel.
5. SPECIFIC DUTIES AND ACTION:
 - A. PRE - EMERGENCY
 1. Establish and maintain a list of the individuals to be notified upon the institution of the Emergency Plan.
 2. Establish and maintain a list of qualified radio and telephone operators and technicians.
 3. Establish and maintain a continual program of training operators in accordance with Emergency Plan.
 4. Prepare and submit recommendations to the Fire Chief on radio and telephone capability during emergency operations.
 5. Prepare a communications plan for emergency operations utilizing both service radio and public service.
 6. Recommend to the Fire Chief requirements for maintaining communications with Field Command Post, Disaster Control Group, Administration Headquarters, and Communications Centre.
 - B. EMERGENCY CONDITIONS
 1. Respond on receipt of notification to the Communications Centre.
 2. Receive briefing as to the nature of the emergency.
 3. Make arrangements to procure any additional staff requirements; staff may be procured from trained on duty fire fighting personnel or off duty Communications personnel.
 4. Provide relief for personnel as required.

5. Inspect the operation of electronic equipment (base stations, etc.) periodically:
 - (a) perform emergency repairs, if possible.
 - (b) procure maintenance contractor as required.
 - (c) provide spare batteries and charging equipment to the command area of the emergency for portable radio equipment.
 - (d) provide command site base station equipment and support equipment as required.
6. Brief the "Service Officer" of Communications status periodically or as required.
7. Provide alternate communications devices to the command site as required; i.e. telephone facilities, paging equipment, etc.
8. Provide necessary reports during the emergency as required.
9. Prepare debriefing report at conclusion of alarm condition.

C. POST EMERGENCY

1. Debrief and critique with subordinate.
2. Prepare complete report on activities and personnel and submit to Plans Officer.

EQUIPMENT AND MAINTENANCE OFFICER - SUPERVISOR OF APPARATUS

1. DEFINITION: A Departmental Senior Fire Equipment Officer or mechanic who shall report directly to the Plans Officer.
2. GENERAL RESPONSIBILITY: Responsible for the repair and servicing of all mechanical equipment.
3. DUTY POST: Operations Command Post, or as instructed.
4. SUBORDINATES: Mechanics and repairmen as assigned.
5. SPECIFIC DUTIES AND ACTION:
 - A. PRE - EMERGENCY
 1. Establish a plan for servicing, repair, and supply of all motor vehicles and equipment.
 2. Maintain inventory of all available tools and equipment needed to efficiently repair and service mechanical equipment.
 - B. EMERGENCY CONDITIONS
 1. Report to Plans Officer for briefing.
 2. Brief and assign equipment repairmen.
 3. Determine need for repair services, arrange for parts, supplies, and specialized repair equipment.
 4. Maintain repair record.
 5. Keep Plans Officer informed.
 6. Practice and enforce all pertinent safety rules.
 - C. POST EMERGENCY
 1. Debrief and critique with subordinates.
 2. Prepare complete report on activities and personnel and submit to Plans Officer.

TITLE: MEDICAL OFFICER - DEPARTMENT PHYSICIAN OR ALTERNATE

1. DEFINITION: A physician reporting to the Deputy Chief.
2. GENERAL RESPONSIBILITIES: Provide welfare advice to the Deputy Chief concerning all Fire Department personnel assigned to the emergency.
3. DUTY POST: Operation Command Post or Administration Headquarters.
4. SUBORDINATES: As required.
5. SPECIFIC DUTIES AND ACTION:
 - A. PRE - EMERGENCY
 1. Advise the Deputy Chief on a comprehensive program of welfare of all Fire/Rescue personnel.
 - B. EMERGENCY OPERATIONS
 1. Report to Deputy Chief for briefing.
 2. Maintain constant awareness of, and strict compliance with pertinent safety principles and practices.
 3. Maintain a continuous check on the safety and welfare of all Fire Department personnel assigned to emergency.
 4. Maintain liaison with the Deputy Chief and Clergy.
Re: welfare of personnel.
 5. Investigate accidents or injuries and submit appropriate reports.
 6. Provide liaison with co-operating agency safety and first aid personnel.
 7. Keep necessary records.
 - C. POST EMERGENCY

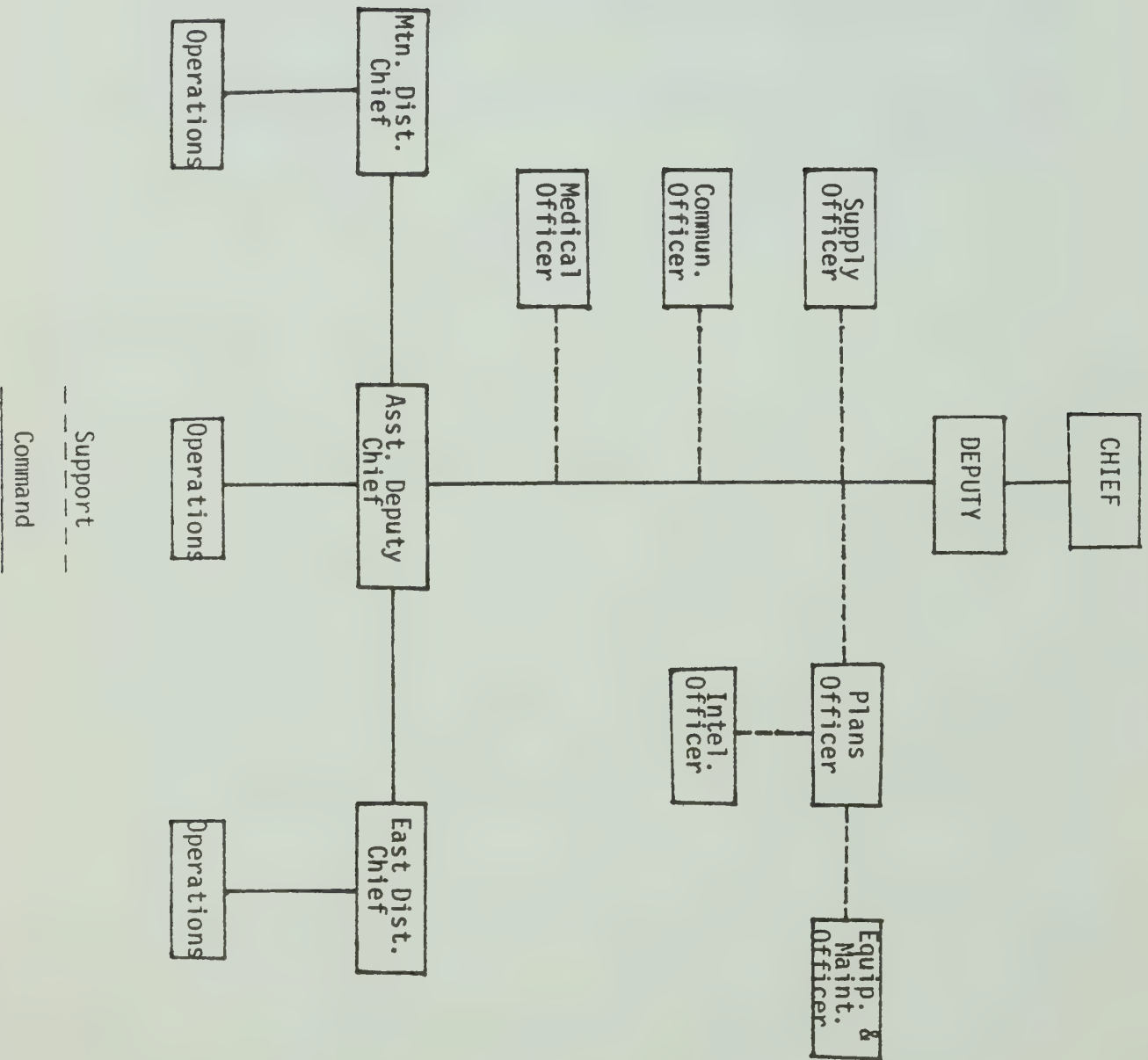
As required.

FIRE PREVENTION, MACHINE SHOP, TRAINING AND ADMINISTRATIVE STAFF

OPERATIONAL ASSIGNMENTS:

Division Heads will be responsible for the recall of their staff.

Personnel from these divisions will form a source of manpower to be utilized where required.



TERMINOLOGY

1. ADMINISTRATION HEADQUARTERS: The Administrative office of the Hamilton Fire Department.
2. ASSISTANT DEPUTY CHIEF: Means a Senior Fire Department Operations Officer who normally is in charge of a platoon.
3. CHIEF: Means Chief of the Hamilton Fire Department.
4. COMMUNICATIONS SUPERVISOR: Communications Officer in charge of fire communications.
5. DISASTER CONTROL GROUP: Those officials responsible for the efficient employment of the Region on Hamilton-Wentworth services, agencies, and personnel required to operate in a declared emergency.
6. DISTRICT CHIEF: Means a Senior Fire Department Officer who normally is in charge of a district.
7. EQUIPMENT & MAINTENANCE OFFICER: Supervisor of Vehicle and Equipment Repair on the Hamilton Fire Department or his designate.
8. INTELLIGENCE OFFICER: Chief Fire Prevention Officer on the Hamilton Fire Department or his designate.
9. MEDICAL OFFICER: Hamilton Fire Department Physician.
10. OPERATIONS COMMAND POST: Means emergency site location for receiving reports and issuing orders.
11. PLANS OFFICER: Division Chief of Training of the Hamilton Fire Department or his designate.
12. SECTORS: A standard system of dividing fireground command into smaller command units or areas.
13. SUPPLY OFFICER: Division Chief of Administration of the Hamilton Fire Department or his designate.
14. ON DUTY SENIOR OFFICER IN CHARGE OF THE CITY: The Senior Officer in Charge of overall operations of the City, other than at the emergency scene. i.e. during a 5-3 alarm.

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URGENT

MEETING OF CITY COUNCIL

OCTOBER 13, 1981

A G E N D A

- A Finance Committee
- C Parks and Recreation Committee
- D Planning and Development Committee
- E Transport and Environment Committee
- J By-laws

REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:-

The Finance Committee presents its NINETEENTH Report and respectfully recommends:-

1. That the schedule for the payment of business and realty taxes be amended in accordance with the following:-

- (a) That the June business tax instalment be advanced to the month of May.
- (b) That the April pre-levy instalment be advanced to the month of March.
- (c) That the June, August and October instalments be changed to two instalments and set in the months of June and September.
- (d) That the present discount rate of 4% for prepayment of realty taxes be increased to 6%.

NOTE: For the information of the Members of City Council, the changes as outlined above, together with the increase in the penalty and interest rate previously approved by City Council, should produce approximately \$2,318,000.00 in additional revenue which represents 2.5395 mills.

2. Members of City Council are advised that Urban Outdoors Incorporated has a sign lease with the City respecting the City-owned property at 18 Main Street East (former Wentworth Arms Hotel property) which contains the following clause:

"This lease shall be automatically renewed, from year to year on each anniversary date of this lease, unless on or before the 30th day preceding such anniversary date, either the lessor or the lessee notifies the other that he or it does not wish this lease to be renewed."

The Finance Committee recommends approval of the request of The Parking Authority of the City of Hamilton that the City Clerk be authorized to sign a notice prepared by the City Solicitor to be given to the lessee in order that this lease will be terminated on its ordinary expiry date of August 31, 1982.

3. Members of City Council are advised that representation was made by Mr. H. S. Arrell, Solicitor on behalf of Mr. M. Henowick for the return of a \$2,100.00 deposit plus interest forfeited to the City in 1979 as the result of the purchaser breaching the agreement with the City to purchase the City-owned lot at the south-east corner of West 5th Street and Mohawk Road West.

The former Board of Control heard an appeal by Mr. Henowick on August 10, 1979 and indicated to him that it would be prepared to recommend to City Council that the deposit be returned to him if the City was able to sell the property at

the original purchase price of \$21,000.00 (or presumably for an amount greater than \$21,000.00).

As a result of further representation made by Mr. Henowick, the Finance Committee recommends that the \$2,100.00 deposit be returned to Mr. Henowick only if the City is able to sell the lot at the south-east corner of West 5th Street and Mohawk Road West at a price of \$21,000.00 or greater.

NOTE: This Section replaces Section 15 of the Eighteenth Report of the Finance Committee referred back by City Council at its meeting held September 29, 1981.

4. Approval of the sale of the following City-owned properties:-

- (a) To Petras and Scholastika Eismantas of 224 Bond Street North, a parcel of rear land at 224 Bond Street North, measuring 35'5" by 20'10", for the sum of \$300.00. Offer to be accepted on or before October 30, 1981. Cash deposit \$30.00. Balance on closing of sale which shall be on or before December 28, 1981.
- (b) To Willis and Luella Anderson of 244 Bond Street North, a parcel of rear land at 244 Bond Street North, measuring 35'5" by 19'8", for the sum of \$300.00. Offer to be accepted on or before October 30, 1981. Cash deposit \$30.00. Balance on closing of sale which shall be on or before December 7, 1981.
- (c) To Hans and Hildegard Hofmann of 228 Bond Street North, a parcel of rear land at 228 Bond Street North, measuring 35'5" by 19'9", for the sum of \$300.00. Offer to be accepted on or before October 30, 1981. Cash deposit \$30.00. Balance on closing of sale which shall be on or before December 7, 1981.

5. Section 2 of the Eighteenth Report of the Transport and Environment Committee makes reference to an increase in rates to be paid to hired garbage packers, effective January 1, 1981 at an increased cost of \$45,000.00.

The Finance Committee recommends that the additional cost of \$45,000.00 be financed by a transfer from the Contingency Account and credited to Account Number 0350-0784.

6. Approval of a transfer of \$7,620.00 from the Contingency Account to be credited to Engineering Account Number 0351-0103, Accumulated Sick Leave, to offset an overdraft in that account caused by the unexpected early retirement of an employee of the Engineering Department.

7. Approval of the awarding of the following contracts:-

IBM CANADA LTD., Hamilton, Ontario

Monthly availability charges - Unit Record, Data Preparation, Computer System and related peripheral devices for the months of October to December, 1981, inclusive \$180,000.00

SKYLIGHT WINDOW CLEANING CO., Hamilton, Ontario

For the window cleaning of various buildings for a five-year period from January 1, 1982 to December 31, 1986, in accordance with specifications issued by the Director of Purchases and Vendor's Tender as follows:-

1982 -	\$37,598.60
1983 -	\$39,479.45
1984, 1985, 1986	5% increase over the previous year's rates

NOTE: Lower of 2 tenders.

This contract is for a 5-year period and will be submitted annually for City Council's approval.

8. Section 19 of the Twenty-second Report of the Planning and Development Committee adopted by City Council September 29, 1981 makes reference to the acquisition of properties at 66, 68, 70, 72, 74 and 76 Fullerton Avenue.

The Finance Committee recommends that the cost of acquisition and demolition of 66, 68, 70, 72, 74 and 76 Fullerton Avenue be charged to the Reserve for Property Purchases Account 0280 (02).

9. Approval of the apportionment of costs between the City of Hamilton and the Regional Municipality of Hamilton-Wentworth for the installation of the new Telecommunications System, as agreed by the Commissioner of Finance for both municipalities, summarized as follows:-

City	\$277,100.00
Region	<u>\$344,700.00</u>
Total	\$621,800.00

That the cost to install the new Telecommunications System in the City Hall, not to exceed \$300,000.00 which is to be fully integrated with the system for the Regional Municipality of Hamilton-Wentworth, be financed from the Reserve for Capital Projects Account Number 0280-27.

10. That the Property Maintenance Superintendent be authorized to arrange for the supply and installation of two 100-amp, 220V circuits, and one 20-amp, 120V circuit for the new telephone room in the basement of the City Hall at an estimated cost of \$4,500.00 as recommended by the City Architect.

This expenditure to be charged to the \$300,000.00 appropriation established for the new telecommunications system in the City Hall which is being financed from the Reserve for Capital Projects.

11. Section 14 of the Twenty-third Report of the Planning and Development Committee makes reference to the proposed industrial development of an 18-acre parcel of City-owned land adjacent to SWARU and bounded by Kenora Avenue and Centennial Parkway.

The Finance Committee recommends that the estimated cost of \$85,000.00 to

proceed with the grading, soil tests and landscaping, be financed from the Reserve for Property Purchases, Account 0280 (02).

Respectfully submitted,

ALDERMAN P. O. VALERIANO,
CHAIRMAN.

R. M. Collier, Secretary.
October 8, 1981.

REPORT OF THE PARKS AND RECREATION COMMITTEE

•To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its TWENTY-FOURTH Report for 1981 and respectfully recommends:

1. That the agreement between the City of Hamilton and Hillcrest Dairy Limited respecting renovations to the Dundurn Castle Restaurant, as approved by City Council on February 24, 1981, include a provision for the construction of this facility to commence on or before March 1, 1982 and be completed and open for operation on or before May 15, 1982.

NOTE: For various reasons, commencement of construction on this project has been delayed and incorporation of this provision in the agreement, which is presently being finalized for the execution, will avoid further possible delays in the opening of this facility.

2. That, due to a financial loss of \$15,631.00 by Senkio Limited in presenting a Karate Tournament and Demonstration at Ivor Wynne Stadium on July 18, 1981, a refund of \$1,720.00 on the rental fee charged of \$5,000.00 be authorized.

NOTE: For the information for the Members of City Council the refund recommended is the difference between the \$5,000.00 rental fee paid and the actual costs to the City of Hamilton in providing the stadium facilities for this event.

3. Members of City Council are advised that the Local Architectural Conservation Advisory Committee is not considered to be a sub-committee of the Parks and Recreation Committee, and has authority under the Ontario Heritage Act, 1974 to submit recommendations directly to City Council. For reporting purposes however, the Local Architectural Conservation Advisory Committee is submitting its recommendations to the Parks and Recreation Committee for submission to City Council.

Accordingly the following recommendation of L.A.C.A.C. is submitted without comment.

- (a) That, the Carnegie Building (former Library) on Main Street West, be designated pursuant to the provisions of the Ontario Heritage Act, 1974, as a building of historic and architectural value.

- (b) That the City Solicitor be authorized and directed to take the appropriate action to have this building designated pursuant to the provisions of the Ontario Heritage Act, 1974.
- 4. The following recommendation of the Local Architectural Conservation Advisory Committee is herewith submitted along with a recommendation for approval from the Parks and Recreation Committee.
 - (a) That the building known as "BELLEVUE" at 14 Belvidere Avenue, Hamilton, Ontario be designated pursuant to the provisions of the Ontario Heritage Act, 1974, as a building of historical and architectural value,
 - (b) That the City Solicitor be authorized and directed to take the appropriate action to have this building designated pursuant to the provisions of the Ontario Heritage Act, 1974.

NOTE: Attached as Schedule "A" to this report, is a copy of a report prepared for the Local Architectural Conservation Advisory Committee which contains the reasons for designation as well as a summary on the significance of this structure. Also for the information of the Members of City Council the committee wishes to advise that the new owners of this property - "The Family of God in Hamilton" have requested that the building be designated pursuant to the provisions of the Ontario Heritage Act, 1974.

- 5. Approval of the awarding of the following contract:

COUNTRY CLUB TENNIS COURT CO., MISSISSAUGA, ONTARIO

Construction of tennis courts, Norman "Pinky" Lewis
Recreation Centre, in accordance with specifications
issued by the Director of Purchases and Vendor's Tender
for the total sum of \$29,939.00

Ontario Sales Tax Exempt.

NOTE: Lower of two tenders received.

- 6. That, subject to the conveyance of an approximate 4.72 acre parcel of land west of the Leander Rowing Club at the foot of Bay Street, from the Hamilton Harbour Commission to the City of Hamilton; and subject to there being no encumbrances or restrictions upon or in the use of these lands for this purpose permission be granted for use of these lands as a landing pad for a helicopter/ambulance service, which is being established in the Hamilton-Wentworth Region.

NOTE: The committee wishes to advise City Council that while the property in question is presently under ownership of the Hamilton Harbour Commission, it, along with an access road has been offered to the City for park purposes. A decision has not as yet been made with respect to the Harbour Commissioners' offer to transfer ownership of these lands to the City of Hamilton as it forms part of an out-of-court settlement reached between the Lax Brothers and the Hamilton Harbour Commission.

Attached as Schedule "B" to this report is a copy of a memorandum dated September 18, 1981 from Mr. C. T. C. Armstrong, Co-ordinator to the Regional Planning and Development Committee respecting this matter.

Respectfully submitted,

ALDERMAN K. M. EDGE, CHAIRMAN
PARKS AND RECREATION COMMITTEE

J. J. Schatz, Secretary
October 1, 1981

BELLEVUE
14 BELVIDERE AVENUE
HAMILTON, ONTARIO

An Architectural and Historical Report
by Nina Chapple
For the Local Architectural Conservation Advisory
Committee, Hamilton Historical Board
October, 1980
Research by Andrew Johnston



REASONS FOR DESIGNATION

BELLEVUE
14 Belvidere Avenue
Hamilton, Ontario

Located on Hamilton's mountain brow with a commanding view out over city and bay, Bellevue ranks among the city's finest examples of historic residential architecture. This gracious dwelling at 14 Belvidere Avenue was built of locally quarried limestone in 1848-50 by John Bradley and closely resembles the McQuesten homestead of Whitehern both in style and construction.

Along with the contemporary limestone mansions of Inglewood, Ballinahinch, Rock Castle and Whitehern, Bellevue marked an important initial step in Hamilton's rapid transition from pioneer settlement to cosmopolitan centre at the middle of the nineteenth century.

Architecturally, Bellevue's compact and symmetrical Classical Revival design displays a fine sense of proportion and scale. The masonry and interior trim attest to the competence of local builders Melville, Herald and White. Embellished with a belvedere in the late 1800's, after which the street is named, the residence was one of the first in the city's tradition of escarpment estates.

Of historical importance to Hamilton's pioneer era was the original owner of Bellevue, John Bradley, who contributed not only through his commercial success but also through his political leadership to the growth of the community. George Gillespie, a resident of 14 Belvidere Avenue in the 1860's and '70's, was a successful merchant and industrialist who did much to promote Hamilton financial institutions.

For both architectural and historical reasons, Bellevue is a landmark of prime significance to the city.

BELLEVUE
14 Belvidere Avenue
Hamilton, Ontario



SIGNIFICANCE

Located on Hamilton's scenic mountain brow, with a commanding view out over the city and bay, Bellevue ranks among the city's finest examples of historic residential architecture. This gracious dwelling at 14 Belvidere Avenue was built of locally quarried limestone in 1848-50 by John Bradley and closely resembles the McQuesten homestead of Whitehern, both in style and construction.

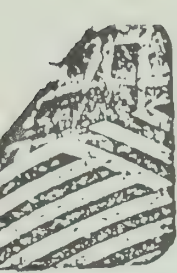
Bellevue marks an important stage in the city's early development and the story of its original owner, John Bradley, is representative of this formative era. Bradley, an Irishman and miller by trade, came to Hamilton in 1832 where his fortunes rose quickly from store and tavern keeper, to hotel owner and then to wealthy land investor. In less than two decades he, like a number of other founding pioneers, had accumulated such substantial wealth that together they

spontaneously initiated a building campaign that was to change the face of the city completely. Hamilton's transition from outpost settlement to cosmopolitan centre began when these ambitious entrepreneurs erected new homesteads during the euphoric years following the city's incorporation in 1846. These homes were by any standards imposing residence; in pioneer Hamilton they were extravagantly grand and stately mansions, an effect further enhanced by formal grounds. Stylistically varied but uniformly constructed of local limestone, they stood as proud monuments to the success of the founding fathers. Among the few historic homes to survive from this epic moment in the city's history are Inglewood, Ballinahinch, Rock Castle, Whitehern and Bellevue.

Architecturally, Bellevue is a valuable example of the Classical Revival style of architecture, which in the middle of the nineteenth century was a fashionable, updated version of the traditional Georgian house design. The impressive scale and well-balanced proportions of Bellevue create a dignity and serenity that represent the best of this style. The quality of the exterior masonry and interior wood and plaster decoration attest to the superior craftsmanship of local builders Meville, Herald and White. As one of the first in the tradition of escarpment estates, Bellevue boasts a setting that is as majestic today as it was originally, an asset recognized by the roof-top belvedere that was added in the late 1800's.

Of historical importance to Hamilton's pioneer era was Bellevue's original owner John Bradley. As one of the early settlers, Bradley contributed substantially during these formative years of the community not only as an enterprising businessman but also as a leading politician in the days when Hamilton was still only a Police Town. Following Bradley's death in 1864, 14 Belvidere Avenue became the home for many years of George Gillespie, one of the city's second generation of leaders. It was in financial circles that Gillespie made his mark, as successful entrepreneur in the wholesale and cotton mill trades and as a long-term director of two Hamiltonian institutions--the Canada Life Assurance Company and the Hamilton Provident and Loan Company. For the next hundred years, Bellevue, known also as Bleak House and The Lilacs, served as the gracious home of numerous distinguished citizens. Only in the latter 1970's did this once stately home fall into its present state of disrepair.

For both architectural and historical reasons, Bellevue is a landmark of prime significance to the city.



THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

Office of the Co-ordinator
Century 21, 100 Main Street East
P.O. Box 910, Hamilton, Ontario L8N 3V9

526-4263

REFER TO AS SCHEDULE "B" IN
SECTION 6 OF THE TWENTY-FOURTH
REPORT OF THE PARKS AND
RECREATION COMMITTEE

September 18th, 1981

MEMORANDUM NO. 1228

Chairman and Members
Planning and Development Committee

Re: Heliport Site

This will advise that a request has been received to establish a helicopter-ambulance service in the Hamilton-Wentworth Region.

By way of background information, I wish to advise that a helicopter-ambulance service has in the past been used in certain parts of Northern Ontario, and more recently as a service in the Toronto Region. The service is provided by the Ministry of Health under the jurisdiction of the Ambulance Service Branch.

The helicopter-ambulance is a twin-engine Bell Helicopter carrying a crew of four - two pilots and two paramedics - with complete equipment comparable to a mobile intensive care unit. It has a range of 150 miles and has all weather capabilities. .

The Ministry is interested in expanding this service in our Region so that the Hamilton group of hospitals could become base receiving hospitals.

The Hamilton-Wentworth District Health Council see this service as an important addition to the Regional Emergency Health System and some months ago made application to the Ministry and designated Dr. D. A. Psutka, Chairman of the Regional Emergency Medical Services Committee to facilitate the application. In this capacity Dr. Psutka is a member of the Regional Emergency Planning Committee - of which I am Chairman - and has approached me to assist in this program and in seeking approval for the location of the Heliport Site.

Many locations in the area have been considered and the site that meets all requirements, and is recommended by the Ministry of Transportation and Communications, is a parcel of land to the west of the Leander Boat Club property. I understand this is the site presently used by the CHML helicopter.

Discussions have been held with officials of the Harbour Commission and I am advised that this property is in the process of being conveyed to the City of Hamilton.

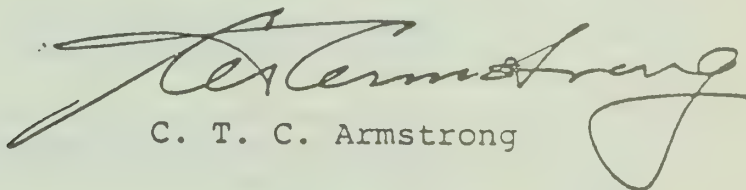
I believe that this proposal will provide a very important service for patients who require special emergency care at hospitals which can meet the need. It will also provide an important addition to the Region's plans for emergency preparedness.

I attach hereto a report from the Planning Department advising that the land use is acceptable - and also a plan showing the location of the site.

Recommendation

That the Council of the Corporation of the City of Hamilton be requested to make this site available as a landing pad so that a helicopter-ambulance service can be established in this Region.

Respectfully submitted,


C. T. C. Armstrong

Attach.

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its TWENTY-FIFTH Report for 1981 and respectfully recommends:

1. (a) That Nielsen-Ferns International Ltd. be granted permission to use Whitehern and the surrounding grounds on October 26 and 27, 1981 for the purpose of completing filming of "The Wars" which was filmed at Whitehern earlier this year.
- (b) That the City Solicitor be authorized and directed to prepare and have executed an agreement between the City and Nielsen-Ferns International Ltd., which agreement shall contain the same terms and conditions as in the previous contract with this firm, with the exception of the following;
 - (i) The staff of Whitehern to be compensated directly by Nielsen-Ferns International Ltd., for any overtime or extra work required
 - (ii) The filming to take place on Monday, October 26 and Tuesday, October 27, 1981
 - (iii) Nielsen-Ferns International Ltd. to pay the City of Hamilton, \$1,000.00 per day for use of Whitehern for this purpose.

Respectfully submitted,

ALDERMAN K. M. EDGE, CHAIRMAN
PARKS AND RECREATION COMMITTEE

J. J. Schatz, Secretary
October 8, 1981

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of The Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its TWENTYTHIRD Report and respectfully recommends:-

1. That approval be given to Zoning Application 81-26, Duncan M. Beattie Insurance Agency Ltd., owner, to establish a change in zoning and modification to the Zoning Regulations with respect to property at #1036 Upper Wentworth Street, as shown on the plan marked as APPENDIX "A" attached, on the following basis:
 - i) That the subject land be rezoned from "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial) District.
 - ii) That the "HH" District provisions as contained in Section 14A of By-law No.6593 applicable to the subject lands be modified as follows:
 - (a) that notwithstanding the provisions of Section 14(1) of By-law No.6593, only an office use within the existing building together with ancillary signage shall be permitted; and
 - (b) notwithstanding the provisions of Section 14A (5)(b), a minimum of two off-street parking spaces shall be provided and maintained on the same lot.
 - iii) That the amending by-law be added to Section 19(b) of the Zoning By-law as Schedule S-768, and that the subject land on Zoning District Map E-18A be notated S-768.
 - iv) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No.6593 and Zoning District Map E-18A and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk.
 - v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- Explanatory Note - The by-law will establish a change in zoning from "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial) District to permit an office use in the existing building located at 1036 Upper Wentworth Street as shown on Zoning District Map E-18A. Ancillary signage will be permitted and a minimum of two parking spaces will be required on the site.
2. (a) That approval be given to Zoning Application 81-53, the Roman Catholic Episcopal Corporation of The Diocese of Hamilton, Ontario, owner, to establish a change in zoning from "L-pn" (Planned Development - Public and Institutional) District to "C" (Urban Protected Residential, etc.) District to permit a church, a rectory/office and a church hall on lands

located at the rear of #115 Centennial Parkway North and #125 Centennial Parkway North, as shown on the attached Plan marked as APPENDIX "B" on the following basis:

- i) that the subject lands be rezoned from "L-pn" (Planned Development - Public and Institutional) District to "C" (Urban Protected Residential, etc.) District.
- ii) that the City Solicitor be directed to prepare a by-law to amend the Zoning By-law No.6593 and Zoning District Map E-104, and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk;
- iii) that the proposed changes in zoning area are in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note

The By-law will provide for a change in zoning from "L-pn" (Planned Development - Public and Institutional) District to "C" (Urban Protected Residential, etc.) District to permit a church, a rectory/office, and a church hall use on property located at the rear of #115 Centennial Parkway North and #125 Centennial Parkway North as shown on Zoning District Map E-104.

That application to the Ontario Municipal Board for approval of the subject zoning by-law be withheld until such time as the following condition is met:

That the applicant deed to the City sufficient lands for the widening of Centennial Parkway North to establish a right-of-way 60' from the centre line.

3. (a) That By-law 81-201 be repealed.

(b) That approval be given to City Initiative 81-W, to establish a modification to the zoning regulations applicable to property located at No.481 West 5th Street as shown on the attached plan marked as APPENDIX "C" on the following basis:

- i) that the "C" (Urban Protected Residential, etc.) District regulations applicable to the subject lands be modified to include the following variances and restrictions as special requirements:
 - a) notwithstanding Section 9(1)(i) of By-law No.6593, in addition to a residential use, a medical doctor's or a dentist's office shall be permitted;
 - b) that the medical doctor's or dentist's office be restricted to the ground floor level of the dwelling and that the maximum floor area not exceed 102.9 sq. metres (1100 st. ft.) for the medical office.

- c) that off-street parking be provided on the basis of one parking space per 19.0 sq. metres (200 sq. ft.) of floor area for the medical practice, plus one parking space for the dwelling unit;
 - d) that a 1.5 m (5') planting strip containing a 1.2 m (3.94') to 2.0 m (6.56') high closed fence be provided and maintained along the southerly and easterly property lines to provide privacy for the abutting property owners;
 - e) that development on the site be subject to the provisions of the Site Plan Control By-law 79-275;
- ii) that the amending by-law be added to Section 19(b) of the Zoning By-law as Schedule S-758, and that the subject land of Zoning District Map W-9 be notated S-758.
 - iii) that the City Solicitor be directed to prepare a by-law, to amend Zoning By-law No.6593 and Zoning District Map W-9 and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk.
 - iv) that the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area, with the approval of Amendment No.363.

Explanatory Note - The purpose of the By-law is to modify the "C" (Urban Protected Residential, etc.) District provisions applicable to the subject lands to permit either a medical doctor's office or a dentist's office and a single family dwelling unit.

This by-law applies to vacant lands located at No.481 West 5th Street.

- (c) That access to the site be to the satisfaction of the Traffic Department.
 - (d) That the applicant satisfy all requirements of the Regional Engineer.
4. (a) That approval be given to Zoning Application 81-24, Canada Trust; owner, to establish modifications to the "HH" (Restricted Community Shopping and Commercial) District for the property located in the area east of Caledon Avenue and south of Mohawk Road West, as shown on the attached plan marked as APPENDIX "D" on the following basis:
- i) that By-law 77-5 which modifies the "HH" District regulations by restricting the permitted use of the subject property to "a commercial office building" be repealed
 - ii) that By-law 75-215 which modifies the "HH" District regulations applicable to the subject property be amended as follows:
 - a) paragraphs 1 and 2 of subsection 2 be deleted and replaced with the following new restrictions:

E

1. Notwithstanding the uses permitted under section 14A(1) of By-law No.6593 only the following uses shall be permitted:

General offices, banks and financial institutions, personal service shops, hairdressing establishments, beauty parlours laundry or dry cleaning stores, retail stores, household appliance repair shops, photographers or artists studios, tailor shops, dressmakers shops, millinery shops, shoe repair shops, pharmaceutical, chemical, physicians or opticians laboratories, but not a factory.

2. The gross floor area of the commercial development shall not exceed 697 sq. m. (7,500 sq. ft.)

b) that the following be added as paragraph 6:

"6. Notwithstanding the provisions of section 14(5)(a)(i) of By-law No.6593, four parking spaces may be provided off the site on adjacent lands to the north."

iii) that the amending by-law be added to Section 19(b) of the Zoning By-law as Schedule S421a, and that the subject land on Zoning District Map W-9 be notated S-421a.

iv) that the City Solicitor be directed to prepare a By-law to amend Zoning By-law No.6593 and Zoning District Map W-9, and make application to the Ontario Municipal Board for approval on completion if its requirements by the City Clerk.

v) that the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning area.

Explanatory Note

The purpose of the By-law is to repeal By-law 77-5 which restricts the use of the subject property to a "commercial office building" and to modify further the established "HH" District regulations as amended by By-law 75-215 to permit limited retail commercial and office uses on the subject lands on Zoning District Map W-9.

The By-law will restrict the number of permitted uses and will limit the gross floor area of the building to a maximum of 697 sq. m (7,500 sq. ft.)

In addition, four parking spaces will be permitted to be located off the site on adjacent "H" zoned lands to the north.

(b) That application to the Ontario Municipal Board for approval of the subject zoning by-law be withheld until such time as the following condition has been satisfied:

i) The applicant dedicate to the Region a 3.05 m (10') parcel of land along the west side of Upper James Street for road widening purposes

5. That approval be given to Zoning Application 81-30, Daniel and Dianne Bissett owners, requesting a modification to the zoning regulations respecting property located at 39 Stanley Avenue, as shown on the plan marked as APPENDIX "E" attached, on the following basis:

- i) notwithstanding the provisions of Section 10 of By-law No.6593 as amended by By-law 81-27, a residential care facility limited to a maximum of 15 residents shall be permitted;
- ii) that the amending By-law be added to Section 19(b) of the Zoning By-law as Schedule S-770, and that the subject land on Zoning District Map W-14 be notated S-770.
- iii) that the City Solicitor be directed to prepare a By-law to amend Zoning By-law No.6593 and Zoning District Map W-14 and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk;
- iv) that the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note - The purpose of the by-law is to modify the "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District provisions applicable to the lands located at 39 Stanley Avenue to permit the a residential care facility to have a maximum capacity of 15 residents.

6. That approval be given to Zoning Application 81-55, Mrs. Rose De Marchi, prospective owner, requesting a change in zoning from "J" (Light and Limited Heavy Industrial, etc.) District as modified by By-law 79-318 to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District for lands abutting the westerly property line of the property municipally known as 54 McAnulty Boulevard, as shown on the plan marked APPENDIX "F" attached; and that the City Solicitor be directed to prepare a By-law to amend Zoning By-law No.6593 and Zoning District Map E-52 and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk and that the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note - The By-law will provide for a change in zoning from "J"(Light and Limited Heavy Industrial, etc.) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to permit the subject lands to be added to the adjacent property at 54 McAnulty Boulevard and to be used for driveway and garage purposes as shown on Zoning District Map E-52.

7. That approval be given to City Initiative CI-81-Q, to amend Zoning By-law No.6593 with respect to the regulations of "central air conditioners", "window air conditioners" and "heat pumps" as follows:

- i) That subsection (4) of Section 18 of By-law No.6593 be amended by adding a new clause to the following effect:

18.(4)(v) Notwithstanding any other provisions of By-law No.6593, in any residential district, a central air conditioning unit, window air conditioning unit or heat pump shall not be located closer than:

1. 5.0 metres (16.40 ft.) to the front or rear lot line of the property; and
2. 2.4 metres (7.87 ft.) to the side lot line of the property.

- ii) That subclause (b) of clause (vi) of subsection (3) of section 18 of By-law No.6593 be amended to delete the words "or window air-conditioning unit" in the first and second lines, and by deleting the "," after the word "eave" in the first line and substituting the word "or" therefor, so that the subclause shall read as follows:

18(3)(vi)(b) "A canopy, cornice, eave or gutter may project ..."

- iii) That the City Solicitor be directed to prepare a By-law accordingly, and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk.
- iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note - The purpose of the by-law will be to provide an amendment to Section 18 of Zoning By-law No.6593, in order to regulate the location of central air conditioning units, window air conditioning units, and heat pumps within all residential districts.

8. (a) That approval be given to Application SA-76-09, Arosa Properties Limited, owner, to establish a draft plan of subdivision, Falkirk Ridge, located at the south-west corner of Upper Paradise Road and Stone Church Road, as shown on the plan attached marked APPENDIX "G" subject to the following conditions:

1. That this approval apply to the plan prepared by Barr Associates dated May 29, 1981, as revised to show;
 - i) 44 single family lots, 25 semi-detached lots and Block 70,
 - ii) street C at 20 m width, and
 - iii) deletion of Block B
2. That final approval not be given to lots 31 to 69 inclusive until sewers have been made available on Stone Church Road west of Street A.
3. That the streets be named to the satisfaction of the City of Hamilton and the Region of Hamilton-Wentworth.
4. That the proposed subdivision conform with the restricted area by-law for the City of Hamilton approved by the Ontario Municipal Board under Section 35 of The Planning Act.
5. That any easements as may be required for utility or drainage purposes be granted to the appropriate authority.
6. That all hydro utilities be installed underground.

7. That the owner provide the City of Hamilton and the Region with a certified list showing the net area of each lot and block in the final plan.
 8. That the road allowances included in this draft plan of subdivision be dedicated as public highway.
 9. That the owner convey land in the amount of 5% of the land included in the plan to the municipality for park purposes pursuant to the provisions of Section 33(5)(a) of The Planning Act. Alternatively, the City may require a cash payment in lieu of conveying land in the amount of 5% of the land included in the plan to the municipality for park purposes.
 10. That the owner dedicate by certificate on the final plan the 5.18 m (17 ft.) widening strips on both Upper Paradise Road and on Stone Church Road together with the daylight triangle at their intersection as indicated on the draft plan.
 11. That the owner obtain a quit claim deed from the owner of the existing 66 ft. (20.177 m) right-of-way which traverses the subject lands in a north-south direction in the vicinity of Street "C".
 12. That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
- (b) That a subdivision agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to Application SA-76-09, Falkirk Ridge draft plan of subdivision located at the south-west corner of Upper Paradise Road and Stone Church Road West, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by the City Council.
9. That separate rezoning by-laws be prepared relating to the proposed Keith Area Zoning Buffer, according to APPENDIX "H" attached, as follows:
 - (1) Otis - remove all uses in APPENDIX "I" except "metal products manufacture including cutting, shearing, hammering, rolling, stamping and grinding operations".
 - (2) Sam's Auto Wrecking - remove all uses in APPENDIX "I" excluding salvage yard.
 - (3) Denninger's - remove all uses in APPENDIX "I".
 - (4) Amcan - remove all uses in APPENDIX "I" except "metal products manufacture including cutting, shearing, hammering, rolling, stamping and grinding operations and the manufacture of aluminum".
 - (5) Wilkinson & Kompass - remove all uses in APPENDIX "I" except "metal products manufacture including cutting, shearing, hammering, rolling, stamping and grinding operations".

(6) Allan Candy - remove all uses in APPENDIX "I".

Ancillary uses (car parks, landscaping and offices), to the uses in APPENDIX "I" to be permitted in all six rezonings.

That site plan control under Section 35a of The Planning Act be invoked in all six rezonings.

That a modification be prepared for the proposed Official Plan by adding to Section 2.3.34 the following:

"Further, within these areas, Council may permit the establishment of a selective range of new industrial uses to be defined in the implementing zoning by-law".

Explanatory Note - The report makes zoning proposals to resolve a land-use conflict between housing and related uses in the Keith Neighbourhood and heavy industry on the edge of the neighbourhood.

10. That approval be given to application SA-81-06, "Sandyford Place" Cortoronto Properties Inc. and 454987 Ontario Limited, owner, to establish a draft plan of condominium located at the south-west corner of Duke Street and MacNab Street South, as shown on the plan attached marked APPENDIX "J" subject to the following conditions:

(a) That this approval apply to the plan prepared by A. J. Clarke and Associates dated June 26, 1981, showing 12 units.

(b) That the owner satisfy all requirements financial and otherwise of the City of Hamilton.

11. That the Building Commissioner be authorized to issue Demolition Permits for the demolition of residential buildings as outlined below for which application has been processed through the Building Department and the Planning and Development Committee:-

620 Beach Boulevard

247 Hunter Street West

180 Beach Boulevard

216 King William St.

20 Clare

218 King William St.

5 Wickham

716 King William St.

247 Centennial Parkway North

718 King William St.

199 Simcoe Street East

12. That the following resolution, petitioning the Province of Ontario to amend the Municipal Affairs Act in order to improve the enforcement of Property Standards procedures, be adopted:

WHEREAS The Municipal Affairs Act RSO 1970, Chapter 118, Section 47, provides for the registration of tax arrears by the Municipality, and

WHEREAS Section 48 of said Act provides for expenditures the Treasurer of the Municipality may make, and

WHEREAS Section 48 (b) provides for expenditures to keep the land in a proper state of repair, and

WHEREAS certain buildings or part of buildings may be a state beyond economic repairs, and

WHEREAS it is desirable to demolish such buildings or part of buildings for the benefit of public safety,

BE IT RESOLVED that the Government of Ontario be requested to amend Section 48 of the Municipal Affairs Act by adding Sub-section 48 (c) to provide for:

Demolition of a building or that part of the building which presents a danger to public safety and is uneconomic to repair.

AND FURTHER that this Resolution be forwarded to all Municipalities over 100,000 population and all local M.P.P.'s for support and endorsement.

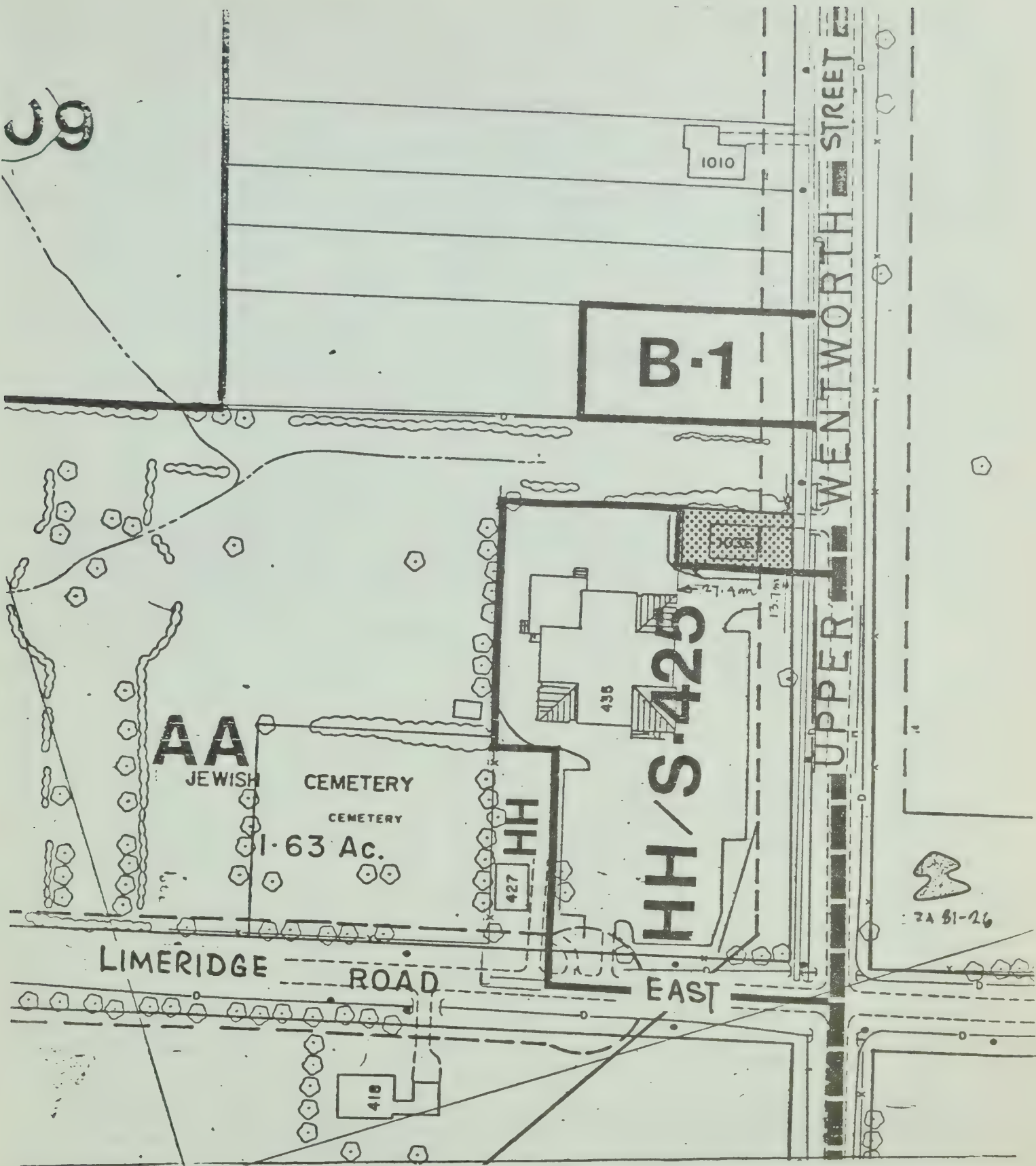
13. That the City Solicitor be authorized and directed to prepare a by-law for the demolition of the building and clearing of lands at 563 Corbett Street pursuant to Sub-section 21 of Section 36 of The Planning Act.
14. (a) That the City proceed to develop an 18-acre City owned parcel of land adjacent to S.W.A.R.U. and bounded by Kenora Avenue and Centennial Parkway in accordance with the Industrial Lot Layout shown on the plan marked APPENDIX "I" attached.
- (b) That the Region and the Transport & Environment Committee for the City be requested to initiate under their respective jurisdictions, the services on the roadway shown in yellow.
- (c) That the Regional Engineering Department be requested to initiate procedures to establish the road shown in yellow by by-law.
- (d) That the Planning and Development Department obtain comments from all parties that might have an interest in the development of this land.
- (e) That once the aforementioned services are installed and the lands graded, the Parks Division of the Public Works Department be authorized to construct a 20' planting strip with a 4' high berm along the northern boundary of the subject lands abutting the off-ramp of the Q.E.W. at an estimated cost of \$25,000.00.
- (f) That the Regional Engineering Department be authorized to prepare a grading plan and carry the necessary grading on the site. In addition, soil tests are to be obtained on Lots 7, 8, 9 and 14 in order to determine whether there would be any problems associated with the proposed construction of footings for an industrial warehouse type of building. A preliminary estimate of the cost of said works is \$60,000.00.

- (g) That the lots be sold on the basis of parts on a Reference Plan and the City Surveyor be authorized to prepare the plan.
 - (h) As the lands in question are not covered by Development Control, it is recommended that a By-law be passed to place the subject lands under this control.
 - (i) That the Finance Committee be requested to recommend the method of financing the development cost of this project.
- 15. That S. & J. Food Distributors Ltd. be granted an extension of the construction commencement date from September 30, 1981 to November 30, 1981 for part of Lot 35, Plan M-227 Hamilton Mountain Industrial Park No.1.
 - 16. That Antonio Maoloni and Leandro Boin be granted an extension of the closing date for the sale of Lot N.27, Plan M-227, Hamilton Mountain Industrial Park No.1 from October 31, 1981 to December 16, 1981.
 - 17. Approval of the final release of holdback in the total amount of \$1,000.00 to Comstock International Ltd. for the completion of Contract E-78-11 (LM) for the Library and Farmers' Market pending receipt by the City Treasurer of the necessary completed forms from the Contractor and Legal Department.
 - 18. That leave be granted to introduce the following Bills:
 - (a) Bill D-131 - A by-law to repeal By-law No.81-170 respecting Municipal Number 42 Evans Street
 - (b) Bill D-132 - A by-law to confirm proceedings of City Council at its meeting to be held October 13, 1981

Respectfully submitted,

Alderman W. M. McCulloch
Chairman

September 30, 1981
J. D. Thompson, Secretary

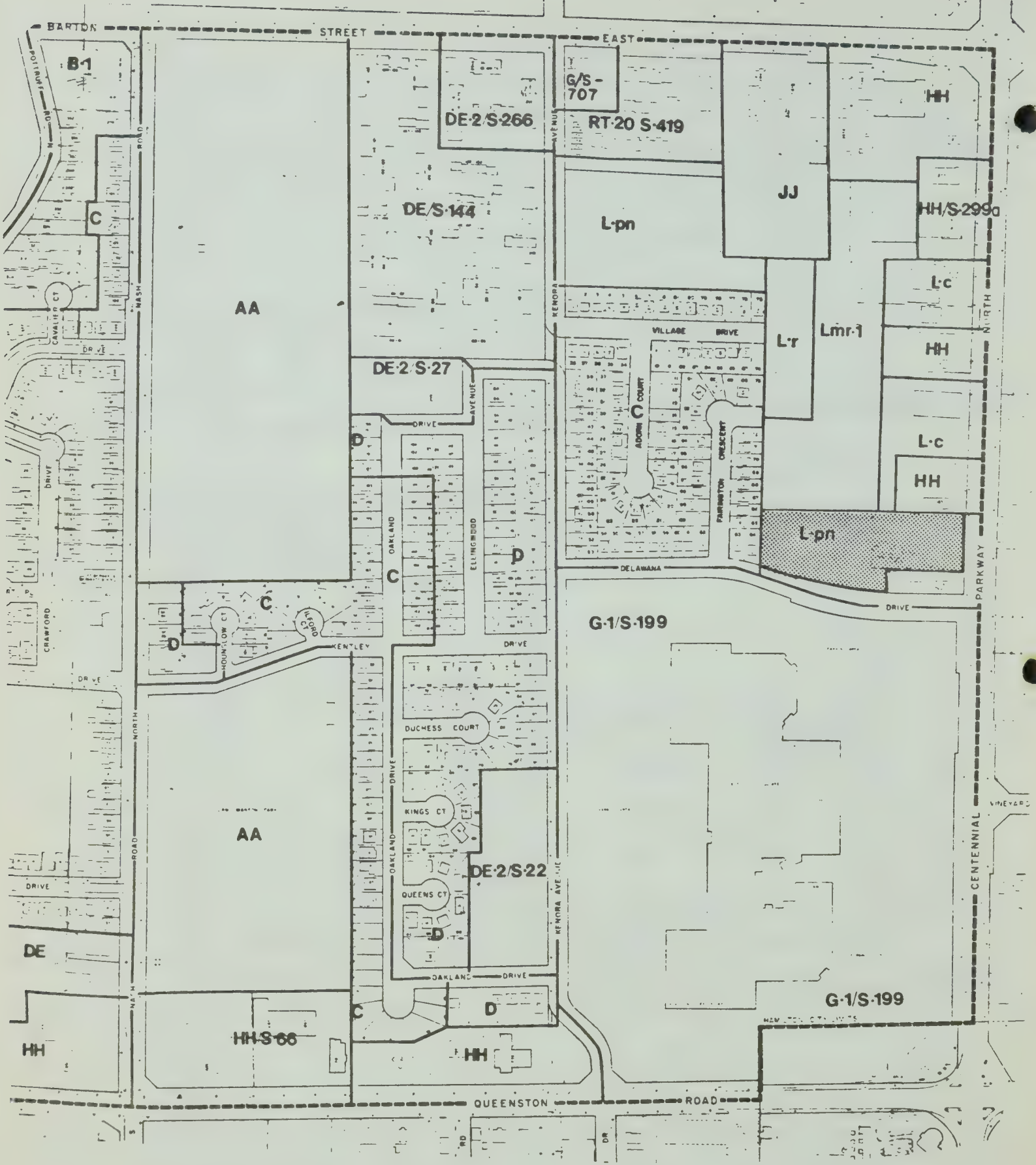


LEGEND



Change in zoning from "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial) District.

E

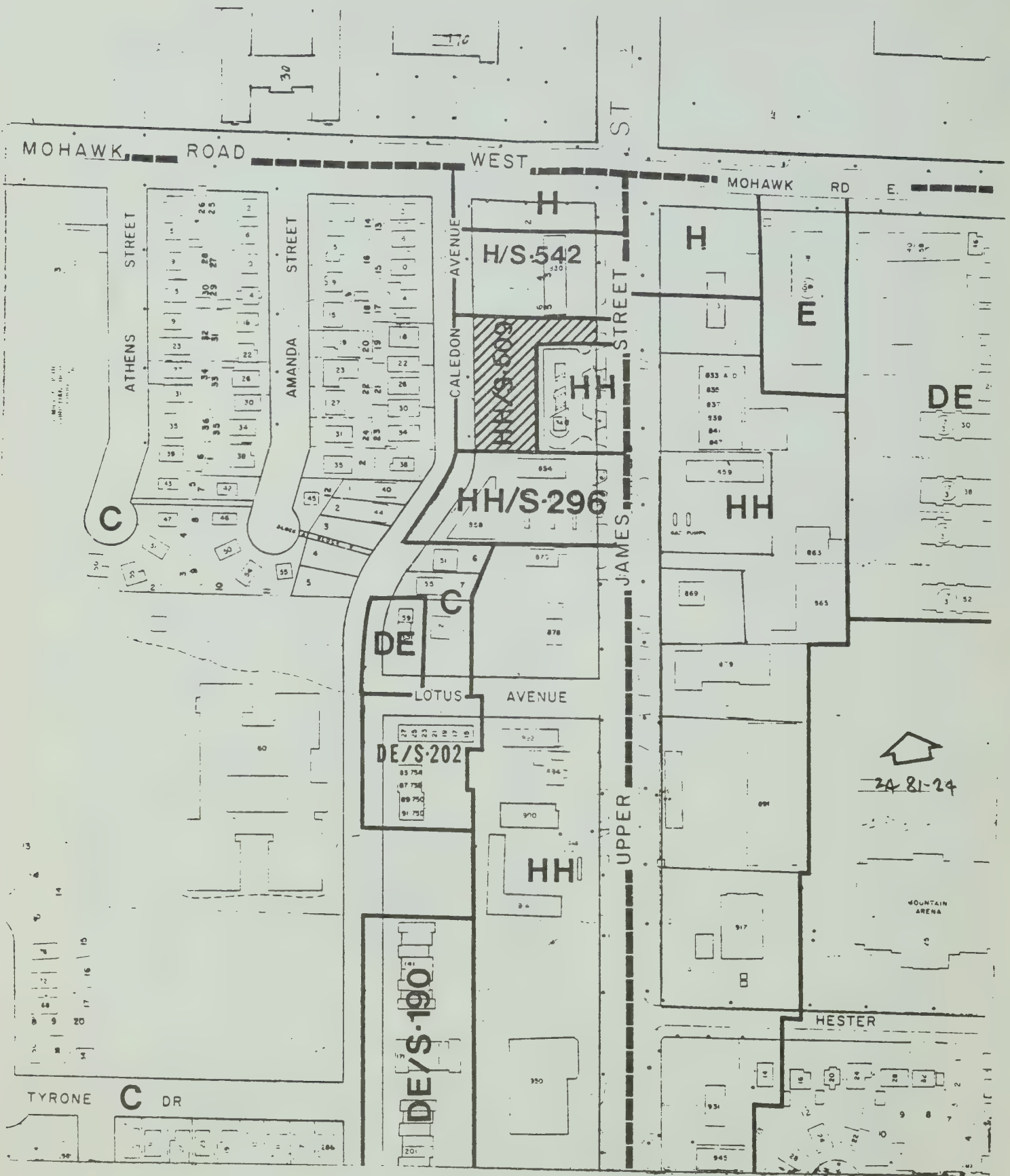


LEGEND.



SITE OF THE APPLICATION

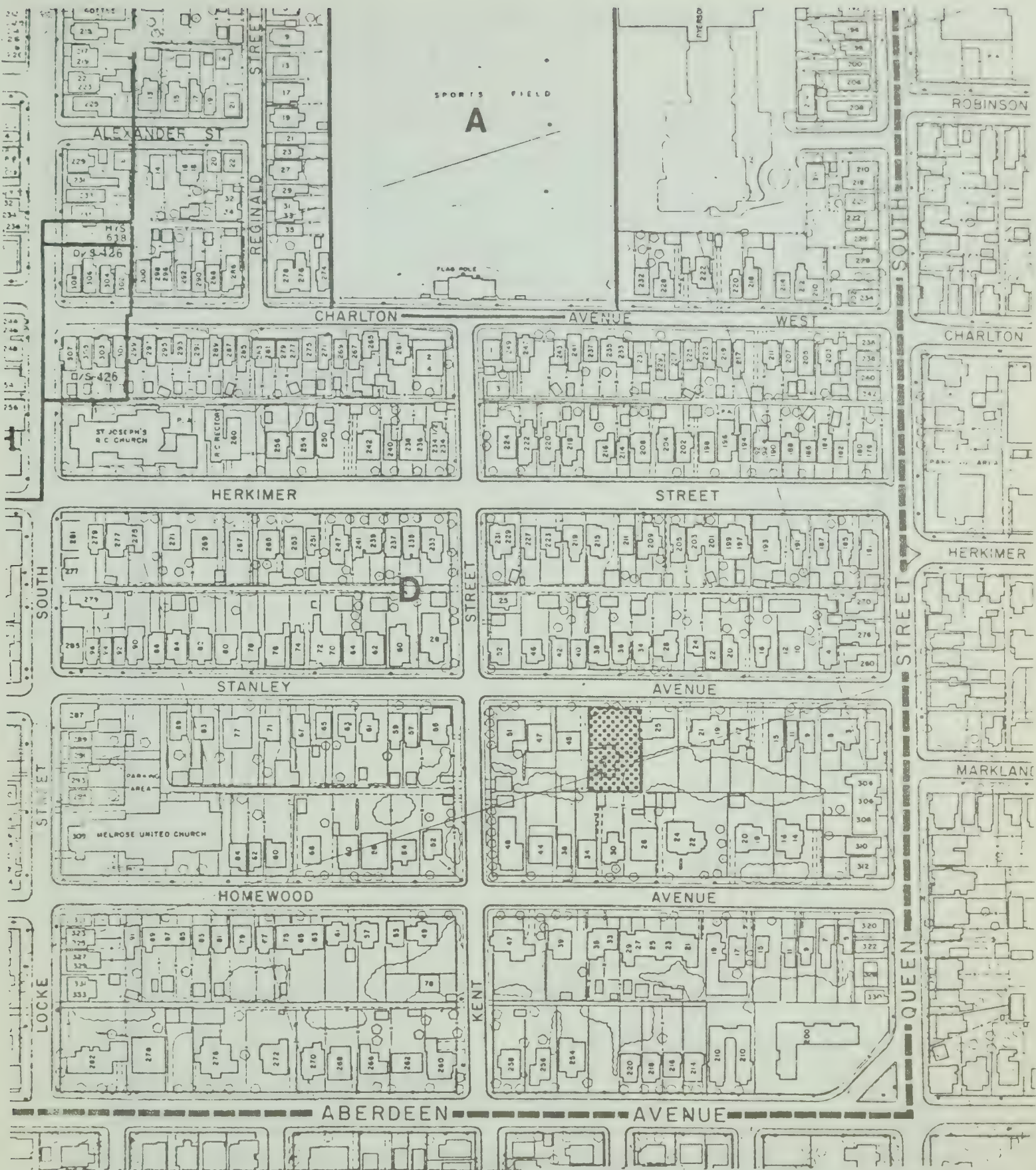
2A 81-53



LEGEND



Site of proposed commercial office/retail development.

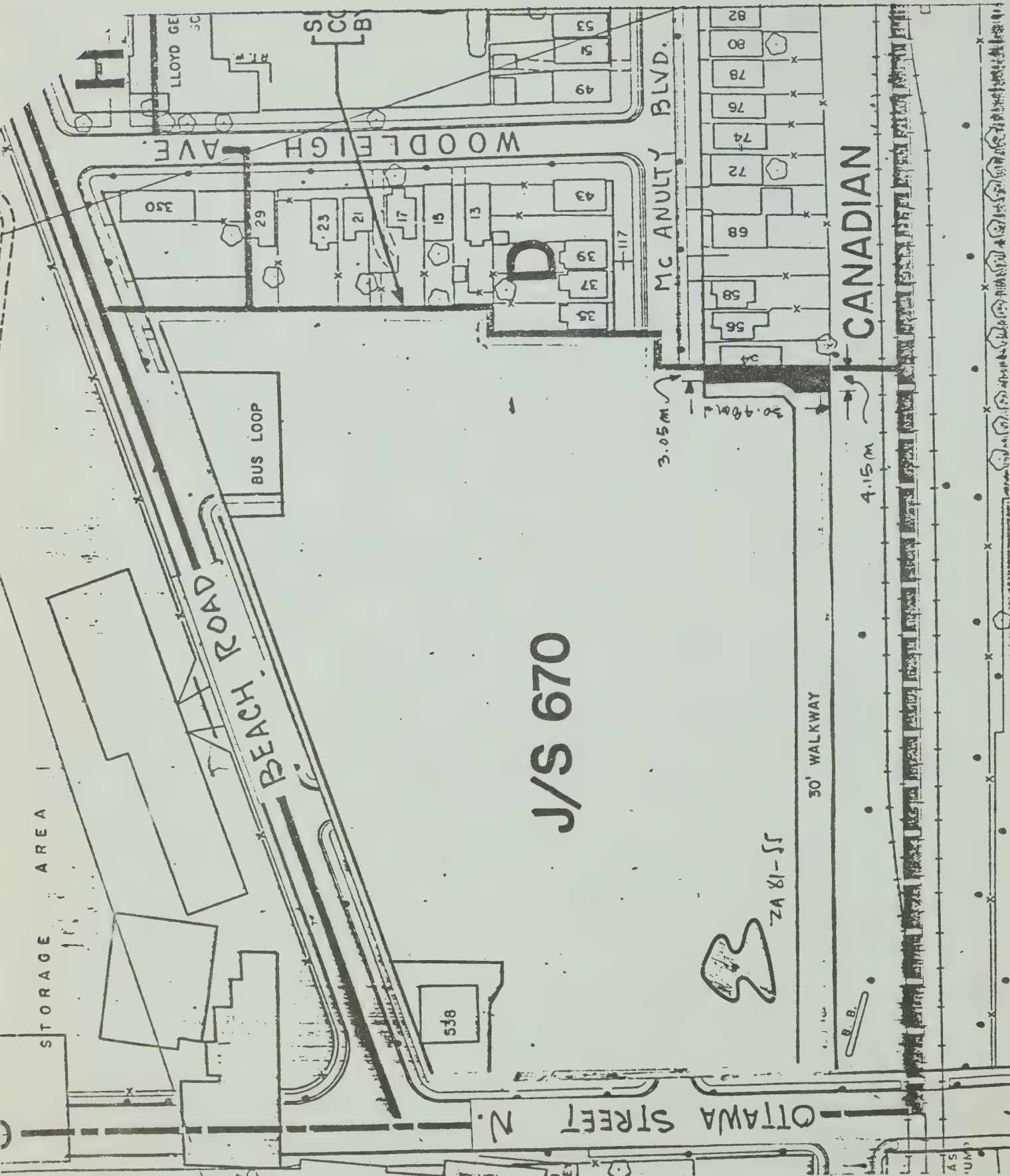


LEGEND



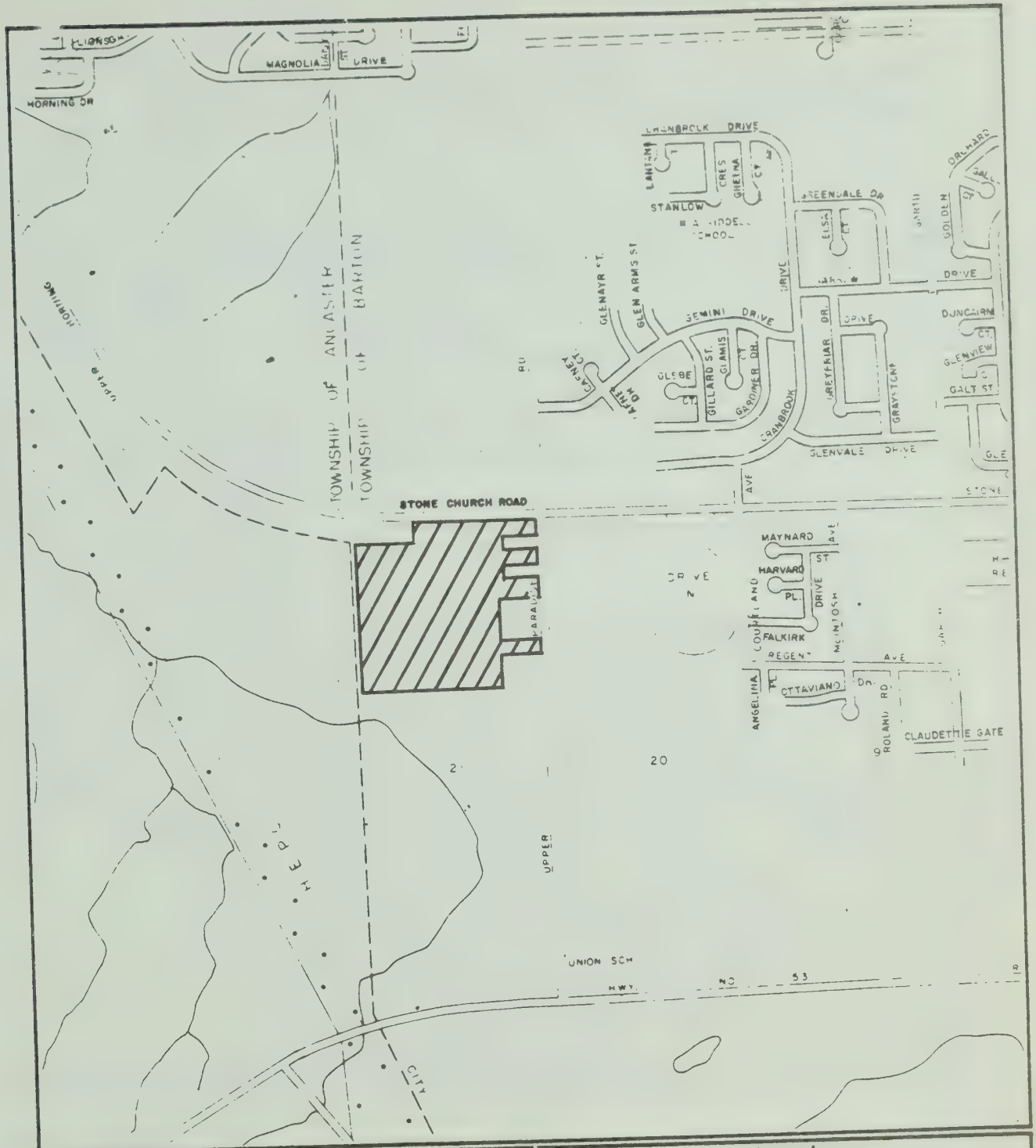
Lands for which a change in the "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District regulations is proposed to permit up to 15 residents in an existing residential care facility.

2A 81-30



LEGEND

Change in zoning from "J" (Light and Limited Heavy Industry, etc.) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District.



Location Plan For
FALKIRK RIDGE
 Part of Lot 21, Con. 8
 In the City of Hamilton

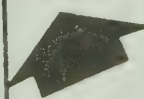
Proposed Subdivision
 Regional Municipality of Hamilton-Wentworth
 Planning and Development Department

Legend



Proposed Subdivision

North



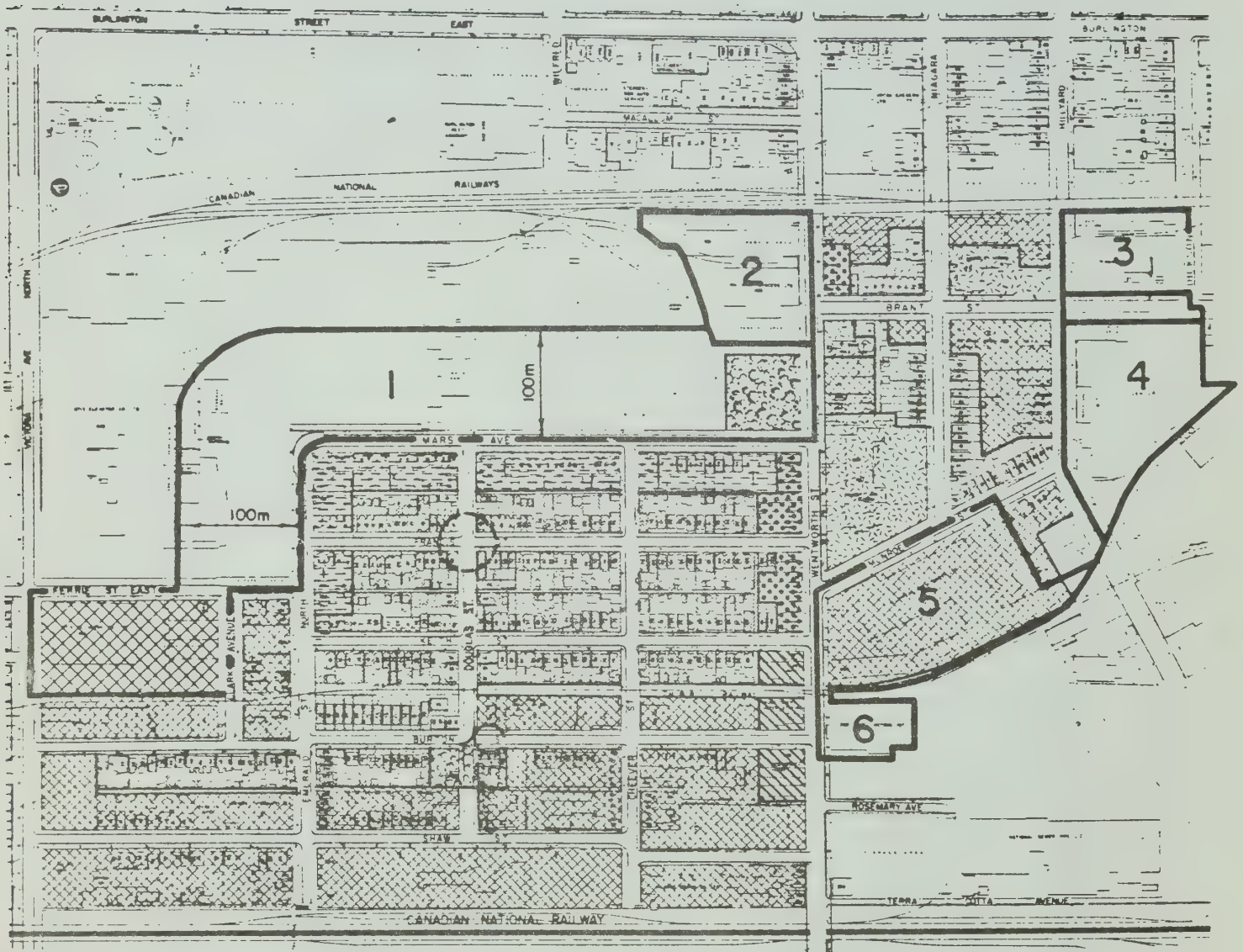
Scale
 1:12000

Date
 JUNE 1981

Reference File No.
 25T-76015

Drawing No.
 81 - H - 54

Proposed Keith Area Zoning Buffer Proposed Rezoning And Neighbourhood Plan Designations



	Area to be modified		Residential		Restricted Industrial
1	Otis		Restricted Residential		Park Area
2	Sam's Auto Wrecking		Institutional		
3	Denningers		Commercial		
4	Amcan		Commercial Area		
5	Wilkinson and Kompass		Mixed Commercial/Restricted Residential		
6	Allan Candy		Industrial		

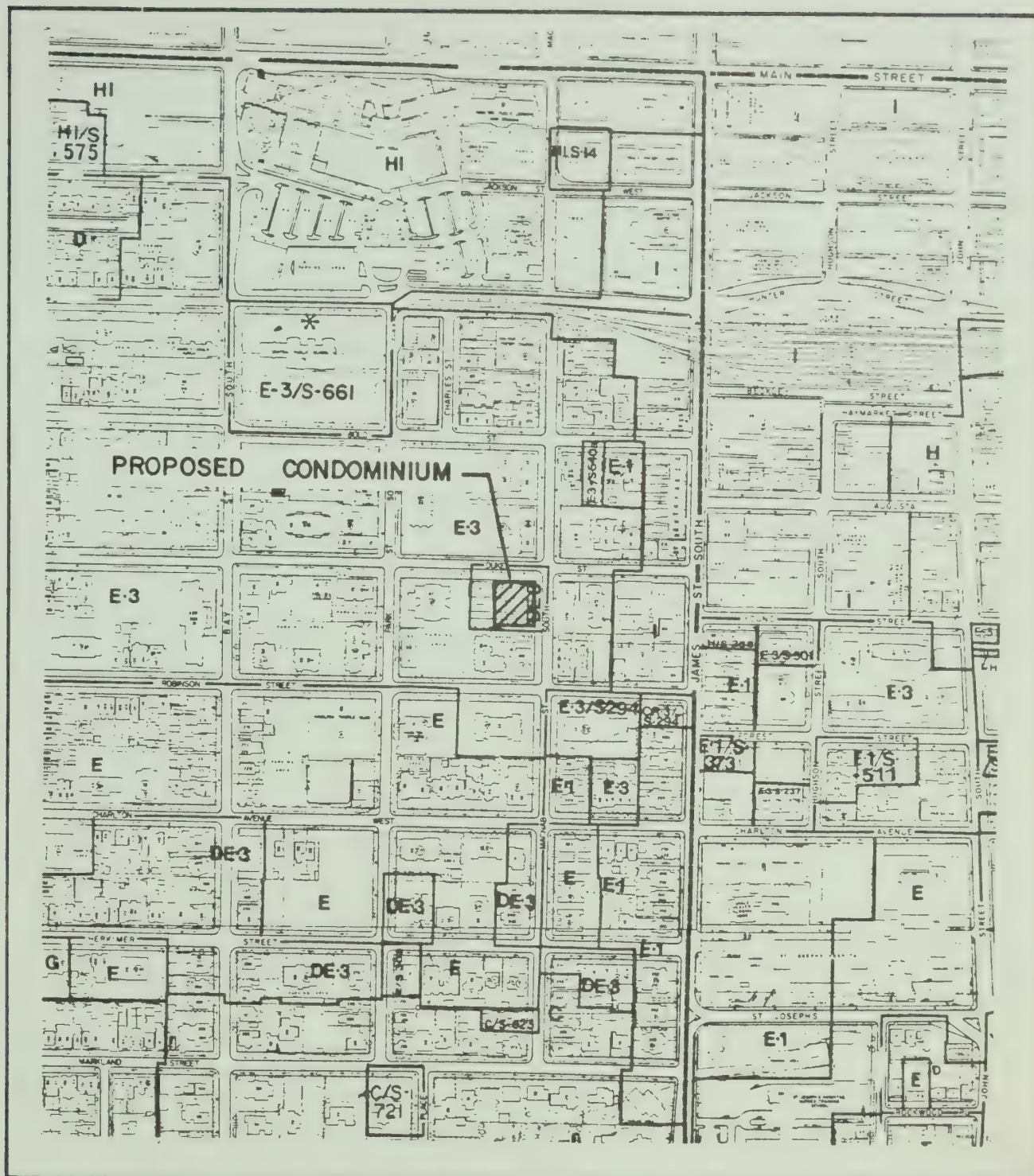


USES PROPOSED FOR EXCLUSION FROM EXISTING ZONING

1. Acetylene Gas Manufacture or storage.
2. Acid Manufacture or Storage.
3. Ammonia Manufacture or Storage.
4. Asphalt or Asphalt Products Manufacture.
5. Celluloid Manufacture and Storage.
6. Cellulose Manufacture and Storage.
7. Cement and Cement Products Manufacture.
8. Chlorine and Chlorine Bleaches Manufacture.
9. Coke Oven.
10. Corrosion of Aluminum, Copper, Iron, Tin Lead or Zinc.
11. Distillation Plant.
12. Fertilizers Manufacture.
13. Fireworks Manufacture.
14. Garbage Dump.
15. Gas Plant.
16. Glue Manufacture.
17. Incinerator.
18. Metal Products Manufacture including Cutting, Shearing, Hammering, Rolling, Stamping or Grinding Operations.
19. Metallic Sodium Manufacture.
20. Nitrating Process.
21. Non-Ferrous Metals Manufacture.
22. Petroleum Manufacture.
23. Potash Manufacture.
24. Primary Metals Plant.
25. Propane Gas Manufacture.

26. Pyroxylin Manufacture and Storage.
27. Rayon Manufacture.
28. Rock-Crushing Plant.
29. Salvage Yard.
30. Slaughter House.
31. Stock Yard.
32. Tallow Rendering Plant.
33. Tannery.
34. Tar and Tar Products Manufacture.
35. Textile Factory including Wool Carbonizing or Hair Treatment.

However, ancillary uses such as car parks, landscaping and offices would be permitted in the buffer.



<p>LOCATION PLAN FOR</p> <p>"SANDYFORD PLACE"</p> <p>CONDOMINIUM APPLICATION</p> <p>25 CDM-81005</p> <p>Regional Municipality of Hamilton-Wentworth Planning and Development Department</p>			<p style="text-align: center;">Legend</p> <div style="display: flex; align-items: center; justify-content: center; margin-bottom: 10px;"> <p>PROPOSED CONDOMINIUM</p> </div> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%; text-align: center; vertical-align: top; padding: 5px;"> <p>North</p> </td> <td style="width: 33%; text-align: center; vertical-align: top; padding: 5px;"> <p>Scale</p> <p>1:5000</p> <p>Date</p> <p>81-07-14</p> </td> <td style="width: 33%; text-align: center; vertical-align: top; padding: 5px;"> <p>Reference File No.</p> <p>25CDM-81005</p> <p>Drawing No.</p> <p>81H-74</p> </td> </tr> </table>			<p>North</p>	<p>Scale</p> <p>1:5000</p> <p>Date</p> <p>81-07-14</p>	<p>Reference File No.</p> <p>25CDM-81005</p> <p>Drawing No.</p> <p>81H-74</p>
<p>North</p>	<p>Scale</p> <p>1:5000</p> <p>Date</p> <p>81-07-14</p>	<p>Reference File No.</p> <p>25CDM-81005</p> <p>Drawing No.</p> <p>81H-74</p>						

E

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its EIGHTEENTH Report for 1981 and respectfully recommends:

SOLICITORS

1. (a) That the Corporation of the City of Hamilton as expropriating authority apply to the Council of The Corporation of the City of Hamilton as approving authority for approval to expropriate the following land for highway and municipal purposes.

All and singular that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of part of Lot 17, Concession 7, Township of Barton and which said parcel may be more particularly described as follows:-

Premising that all bearings herein are astronomic and are referred to the western limit of Fiona Crescent as established by Brigadoon Village filed in the Land Titles Division of the Land Registry Office for the Registry Division of the Land Registry Office for the Registry Division of Wentworth as Plan M-136, on a course of North $16^{\circ} 43' 30''$ East.

Commencing at the north west angle of Lot 40 according to the aforesaid Brigadoon Village, Plan M-136.

Thence South $71^{\circ} 45' 10''$ East along the northern limit of the said Lot 40, one point zero feet (1.0').

Thence North $16^{\circ} 43' 30''$ East along the production northerly of the eastern limit of Fiona Crescent, ninety-one point ninety-one feet (91.91') to the beginning of a curve to the left having a radius of sixty-seven point zero feet (67.0')

Thence northerly along the arc of the said curve, seventy point seventy-six feet (70.76') more or less to the eastern limit of Lot 41 according to the said Plan M-136, the chord of the said arc having a length of sixty-seven point fifty-two feet (67.52') and a bearing of North $13^{\circ} 31' 49''$ West.

Thence South $16^{\circ} 43' 30''$ West along the said eastern limit of Lot 41 and the eastern limit of Block "AX" according to the said Plan M-136, one hundred forty-nine point thirty-two feet (149.32') to an angle therein.

Thence South 71° 45' 10" East along the northern limit of Block "AX" aforesaid, thirty-three point zero one feet (33.01') more or less to the point of commencement.

(b) That the City Clerk be authorized and directed to:

- (i) give Notice of the City's application to all owners, registered owners and tenants (as defined in The Expropriations Act) of the said lands;
- (ii) advertise Notice of the City's application in a newspaper as required by The Expropriations Act;
- (iii) sign and receive the said application for approval to expropriate.

PUBLIC WORKS

2. (a) That an increase be granted in rates paid for Hired Garbage Packers, effective January 1, 1981, which will result in the following rates:

- 25 Yard Trucks from the present rate of \$22.00 per hour to \$24.20 per hour
- 20 Yard Trucks from the present rate of \$20.00 per hour to \$22.00 per hour

(b) That the method of financing the total amount of \$45,000.00 be determined by the Finance Committee.

3. That the \$8,180.00 appropriated in the Winter Snow Control Accounts-Advance Publicity Snow Removal, be made available to acquaint the public with regulations concerning the plowing of snow on posted snow routes during and after each snow storm.

It is further recommended that Mr. W. Cockman again be appointed the Co-ordinator of the public information program.

CITY ENGINEER

4. That the City Solicitor be directed to proceed with the preparation of a By-Law to widen Limeridge Road East on the south side in various locations defined by the City Surveyor.

NOTE: Lands for the widening of Limeridge Road have been deeded to the City at various times as a result of applications for severance or zoning changes, with the understanding that the lands would be incorporated into the highway by By-Law.

5. That the City Solicitor be directed to proceed with the preparation of a By-Law to widen Limeridge Road East on the north side in various locations defined by the City Surveyor.

NOTE: Lands for the widening of Limeridge Road have been deeded to the City at various times as a result of applications for severance or zoning changes, with the understanding that the lands would be incorporated into the highway by By-Law.

6. That the City Solicitor proceed with the preparation of a By-Law to extend Jay Street by incorporating therein Reserve 'A', Registered Plan No. 1262.

NOTE: The retention of this reserve is now no longer necessary since Jay Street has now been extended easterly by the recent registration of Cardinal Heights Addition No. 4, Plan M-306 - See Plan N.S. 2370 Surveys.

REAL ESTATE

7. That the City of Hamilton purchase an irregular parcel of land with a total area of 407m² (44 sq.ft.) from Anne Novosel for the sum of \$210.00 in connection with the future extension of Greenhill Avenue. The purchase of Part 15, Reference Plan 62R-5638 in the sum of \$210.00 is to be charged to Account # 0280-02.

NOTE: The above property is an irregular parcel of vacant land south of King Street East in the City of Hamilton being composed of part of Lot 27, Concession 4 formerly in² the Township of Saltfleet with a total area of 4.07m² (44 sq.ft.) more particularly described as Part 15 on Reference Plan 62R-5638.

8. That the Committee approve a lease for 720 sq.ft. of space in building T8 to Harley Electrical Services. The rent will be \$70.00 per month plus taxes commencing September 1, 1981. The monthly rental includes \$10.00 per month for hydro charges.

PURCHASING

9. That the report of the Director of Purchases respecting the following be approved:

- (i) EASTGATE FORD SALES & SERVICE, Hamilton, Ontario
For the supply and delivery of One (1) 50,000 GVW Ford CT8000 Truck Chassis, in accordance with specifications issued by the Director of Purchases and Vendor's Tender for the sum of\$47,694.04

NOTE: Lower of 2 tenders.

- (ii) EASTGATE FORD SALES & SERVICE, Hamilton, Ontario
For the supply and delivery of Three (3) Ford CT8000
Chassis complete with Leach Model 2-R Packers in
accordance with specifications issued by the Director
of Purchases and Vendor's Tender for the total sum
of \$214,028.47

NOTE: Lowest of 6 tenders.

- (iii) EASTGATE FORD SALES & SERVICE, Hamilton, Ontario
For the supply and delivery of One (1) 34,000 GVW
Ford L8000 Truck Chassis, in accordance with specif-
ications issued by the Director of Purchases and
Vendor's Tender for the sum of \$37,459.49

NOTE: Lowest of 2 tenders.

- (iv) MAPLE LEAF INDUSTRIAL SALES LTD., Stoney Creek, Ontario
For the supply and delivery of One (1) 40 HP Diesel
Ford 340 Tractor with Snow Plow, Draw Bar and Three
Point Hitch, in accordance with specifications issued
by the Director of Purchases and Vendor's Tender for
the total sum of \$15,515.00

NOTE: Lowest of 3 tenders.

- (v) EASTGATE FORD SALES LTD., Hamilton, Ontario
For the supply and delivery of One (1) Five Ton Heavy
Duty Snow Plow and Sanding Truck Complete, in accordance
with specifications issued by the Director of Purchases
and Vendor's Tender for the total sum of \$61,089.37

NOTE: Lowest of 2 tenders.

- (vi) FROST STEEL & WIRE CO., Hamilton, Ontario
For the supply and installation of 6' Chain Link Fence
for 403 Landfill Site, in accordance with specifications
issued by the Director of Purchases and Vendor's Tender
for the total sum of \$22,800.00
Ontario Sales Tax Exempt.

NOTE: Lowest of 4 tenders.

- (vii) DOMTAR CHEMICALS GROUP/SIFTO SALT DIVISION, Mississauga, Ontario
For the supply and delivery of Sodium Chloride for the
1981/1982 Season, in accordance with specifications issued
by the Co-ordinator of Regional Purchases, September 2nd,
1981, and Vendor's Tender as follows:

School Traffic Officers shall not be assigned to⁴ locations which are controlled by traffic signals in Hamilton.

(b) That the Chief of Police be instructed to discontinue the use of School Traffic Officers at the intersections of Mohawk Road and Magnolia Drive, and Mohawk Road and Rice Avenue.

(c) That the Board of Education be requested to consider the use of school patrols where they consider there is a concern for school children crossing.

BY-LAWS

14. That leave be granted to introduce the following bills:

- (i) Bill No. E88 - By-law to Amend By-law no. 66-100 to Regulate Traffic.
- (ii) Bill No. E89 - By-law to Amend By-law no. 66-100 to Regulate Traffic.

Respectfully submitted

ALDERMAN F. LOMBARDO
CHAIRMAN

R.C. Prowse
Secretary
October 5, 1981.



REF. # _____

THE CORPORATION OF THE CITY OF HAMILTON

R.J. DESJARDINS, P. ENG.,
B.S.C., F.I.T.E., M.C.I.P.
TRAFFIC COMMISSIONER

OFFICE OF
DEPARTMENT OF TRAFFIC
HAMILTON, ONTARIO
CANADA L8N 3T4

September 18, 1981.

Traffic Department Position Regarding the Use of School Traffic Officers at Traffic Signal Locations

Periodic requests are received by various officials and agencies for the assignment of a School Traffic Officer to an intersection which is controlled by a traffic signal. Pressure is brought to bear on various officials by parents of school age children, who perceive that it may be unsafe for young children to cross public highways at traffic signalized locations, without some additional assistance. However, statistics have shown that the probability of a pedestrian being struck by a motor vehicle at a signalized intersection is approximately one incident per two million pedestrian crossings of the intersection. Furthermore, approximately 80 percent of such incidents are relatively minor in nature, with the pedestrian suffering either minor or no injuries. In a majority of cases, the accident is a result of the pedestrian disobeying the traffic signal indication. Another common characteristic is that of the pedestrian running unexpectedly into the roadway in front of an oncoming motorist. This memo is meant to be a brief overview of the situation in Hamilton.

PRESENT STATUS IN HAMILTON

There are presently School Traffic Officers assigned to only two of the 274 signalized intersections within the city. These two are the intersections of Mohawk Road and Rice Avenue, and Mohawk Road and Magnolia Drive. At the time that the School Traffic Officers were assigned to these locations, the assignment of School Traffic Officers was under the jurisdiction of the Police Commission.

In the case of the Rice Avenue intersection, this area was under development in 1973, and at that time, Mohawk Road was widened to the present four lane divided roadway section, with left turn lanes. Petitions were received for the installation of a traffic signal at the intersection, and the Police Commission agreed to appoint a School Traffic Officer to the intersection until such time as the traffic signal was installed. The Traffic Signal was installed on December 27, 1973, and operated successfully until May 26, 1977, at which time the Police Commissioner approved a School Crossing

Guard at both this intersection and the Magnolia Drive intersection "for the balance of the school term". This matter was reconsidered on subsequent occasions, and the School Traffic Officers remain at these locations at this time.

FUNCTION OF THE SCHOOL TRAFFIC OFFICER AT A SIGNALIZED INTERSECTION

It is difficult to determine what the perceived function of a School Traffic Officer is, at an intersection which is controlled by a traffic signal. The traffic signal provides positive guidance to pedestrians and motorists alike, in accordance with the requirements of the Highway Traffic Act, and in theory, there is little that a School Traffic Officer can add to the positiveness and clarity of the indications of the traffic signal, unless it is a function of the Officer to contradict the obligations and requirements provided for in the Highway Traffic Act. Indeed, the function and action of a School Traffic Officer is in direct conflict with the requirements of the Highway Traffic Act.

The Highway Traffic Act provides that when a pedestrian is faced by a "walk" indication at a traffic signal, the pedestrian may commence to cross the roadway in the direction of the "walk" indication and in the appropriate painted crosswalk. The Act provides further that when a pedestrian is faced with a "don't walk" indication, the pedestrian may not commence to cross the roadway, but if the crossing was commenced on the "walk" indication, the pedestrian has the right-of-way over other traffic to complete the crossing of the roadway.

The normal mode of operation of a School Traffic Officer is to wait until the "walk" indication is exhibited, and then to enter the roadway to a mid-point, meanwhile prohibiting school children from commencing their crossing of the roadway. When the School Traffic Officer reaches the mid-point of the intersection, the Officer then assures himself or herself that the crossing for children would be safe, and then blows the whistle to indicate that the children may begin their crossing. Thus, the child is prohibited, by the Officer, from commencing the crossing at the beginning of the "walk" which is standard practice at all other signalized intersections in the City. Furthermore, since the child is not permitted to commence a crossing at the beginning of the "walk" indication, or indeed, in some cases, until after the "don't walk" indication is displayed, not only is a child encouraged to disobey the Highway Traffic Act and cross when the "don't walk" indication is exhibited, but there is insufficient time for the child to complete the crossing of the intersection on the remaining portion of the "don't walk" indication.

The correspondence file makes it clear that all traffic officials involved in this matter, whether officials with the Traffic Department or with the School Safety Division of the Regional Police Department, agree unanimously that the School Traffic Officer only creates confusion and contradictions at traffic signalized locations, and is really providing a disservice for school children. Not only are school children encouraged to disobey the requirements of the Highway Traffic Act, but they find it necessary to cross at other signalized intersections in accordance with the provisions of the Highway Traffic Act, where School Traffic Officers are not assigned.

PROBLEMS CREATED BY SCHOOL TRAFFIC OFFICERS AT SIGNALIZED INTERSECTIONS

The following types of problems are created when School Traffic Officers are assigned to signalized intersections:

- As outlined above, children are encouraged to disobey the traffic signal indications, contrary to the requirements of the Highway Traffic Act.
- Because of the mode of operation of a School Traffic Officer, which involves the Officer walking to the middle of the roadway before permitting school children to commence their crossing, there is a constant demand for longer and longer "walk" indications for these locations. Not only is the length of "walk" inconsistent with other signalized locations within the Municipality, but the result is often that a disproportionate amount of available time is assigned to a minor side street at an intersection, and this has significant impacts on the efficient movement of traffic on the major roadway, and on the safety of the motoring public.
- As noted above, the use of a School Traffic Officer creates an inconsistency for the child who must cross both signalized intersections controlled by School Traffic Officers, and signalized intersections which are not controlled by School Traffic Officers. Further, this same inconsistency occurs at the intersection which is controlled by the Officer for only part of the day, since during other hours of the day and of the week, the child must cross without the questionable benefit of the School Traffic Officer controlling the intersection.
- Control by an Officer creates uncertainty for motorists as well as pedestrians. For example, a motorist turning from one roadway to the other is normally required, under the terms of the Highway Traffic Act, to yield right-of-way to all pedestrians who have commenced to cross the intersection on the "walk" interval. However, the School Traffic Officer holds the school children back when the green indication is first exhibited, and the motorist does not know whether he or she should proceed with the turning movement prior to the Officer releasing the children to cross the intersection. Furthermore, by the time the children have completed their crossing under the control of a School Traffic Officer, there is little or no time left for the motorist to complete his turn and enter the other roadway, since the time allotted to that particular phase frequently has expired. This problem is further aggravated by the tendency of the School Traffic Officer to wait for stragglers, rather than to restrict the school crossing movement in a disciplined and equitable fashion.

CONSISTENCY AND EQUITY

All the available technical evidence indicates that it is inappropriate to use a School Traffic Officer at a location where a traffic signal is in operation. However, if it is assumed that for some reason other than a technical reason, it is appropriate to use a School Traffic Officer at certain locations, then the question of consistency and equity must be raised. It would seem logical to assess the need for control by a School Traffic Officer on the basis of the volume of traffic utilizing any particular intersection. However, in the case of the Mohawk and Rice intersection, there are 156 signalized intersections in the city which carry heavier volumes of vehicular

traffic, and which are not "served" by a School Traffic Officer. In the case of the Mohawk and Magnolia intersection, there is a total of 175 intersections carrying heavier volumes of vehicular traffic. Thus, if School Crossing Officers are to be maintained at these two intersections, it would be only fair and equitable that Officers also be assigned to the 175 locations which are more heavily travelled than the Mohawk and Magnolia intersection. Furthermore, a single School Traffic Officer can only control one crosswalk at a time at an intersection and children and other pedestrians cross in two crosswalks at a time, at most intersections. Therefore, in the interest of consistency it would be appropriate to assign two School Traffic Officers to each intersection. Thus, it would be necessary, in order to obtain consistency and social equity, to assign approximately 350 additional School Traffic Officers to signalized intersections, if the Officer is to be retained at the Mohawk and Magnolia intersection.

The 1981 cost per School Traffic Officer is estimated to be approximately \$4,000.00 annually. Thus the cost of assigning an additional 350 School Traffic Officers would be approximately \$1,400,000.00 per year. Consistency and social equity would seem to demand that equal conditions be treated by equal measures.

HAVE THE SCHOOL TRAFFIC OFFICERS ACHIEVED SAFETY AT SIGNALIZED INTERSECTIONS?

It is not possible to draw a statistically valid conclusion on the basis of the limited experience we have had in Hamilton. However, certain points are very relevant.

The intersection of Mohawk Road and Magnolia Drive has been in operation since 1972. A School Traffic Officer was assigned to the intersection on two different occasions, for a total of approximately 46 months, out of the total of 105 months the intersection has been in operation. However, there has never been a reported pedestrian accident at the intersection, either with or without control by a School Traffic Officer.

The intersection of Mohawk Road and Rice Avenue was also put into operation, as a four leg intersection, in 1972, although the southerly leg of the intersection was constructed prior to the opening of the Sir Allan MacNab School in September, 1969. A School Traffic Officer was assigned to the intersection for the last three months of 1973, until the traffic signal was installed in December 1973. The intersection then operated without a School Traffic Officer until May 1977, at which time an Officer was assigned. Thus, the intersection has operated with School Traffic Officer control for 46 out of the 105 months that the intersection has been in full operation. While a total of five pedestrian accidents have been reported at or near the intersection since 1972, only two of the reported accidents involved school children at the intersection, and both of these accidents occurred while the intersection was signalized, and while a School Traffic Officer was assigned to the intersection. In one case, the accident appears to be the direct fault of the School Traffic Officer since it involved a motorist who was turning right onto Mohawk Road, and when she observed that the School Traffic Officer was holding the children on the sidewalk to permit her to turn before the children were permitted to cross, she proceeded to turn. However, one child stepped out into the intersection on the "walk" signal, in accordance with the require-

ments of the Highway Traffic Act, and this contradiction of instructions between the Highway Traffic Act and the School Traffic Officer resulted in the pedestrian accident. Thus, the evidence is very clear that a School Traffic Officer does not prevent accidents at a signalized intersection, and indeed, does give instructions which are contrary to the signal indications and the Highway Traffic Act.

CONCLUSIONS

For the reasons cited above, it has been and is the conclusion of Police and Traffic officials that the use of a School Traffic Officer at an intersection which is controlled by a traffic signal is unnecessary and inappropriate, and creates conflicts with the provisions of the Highway Traffic Act which cause confusion for motorists and pedestrians alike, and there is some evidence that these contradictory directions create an unsafe condition at the intersection. The two locations where School Traffic Officers are presently used were chosen on a completely arbitrary basis, primarily on the basis of pressure from parents, school trustees, the Board of Education and individual members of Council. The cost of providing this type of control on a consistent and systematic basis would be prohibitive. A policy should be adopted that School Traffic Officers will not, under any circumstances, be utilized at intersections which are controlled by traffic signals.

ALTERNATIVE TO THE USE OF SCHOOL TRAFFIC OFFICERS AT TRAFFIC SIGNALS

The Board of Education could be asked to reconsider the use of school child patrols at traffic signals. The function of the patroller is to ensure that the children cross only on the "walk" indication, in accordance with the Highway Traffic Act, and school child patrols are used at traffic signals in a number of urban Municipalities.

MEETING OF CITY COUNCIL

OCTOBER 27, 1981

A G E N D A

26^d FL

-
- A Finance Committee
 - B Legislation Committee
 - C Parks and Recreation Committee
 - D Planning and Development Committee
 - E Transport and Environment Committee
 - F Personnel Committee
 - J By-laws

REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:-

The Finance Committee presents its TWENTIETH Report and respectfully recommends:-

1. That depending on the overall 1981 City of Hamilton surplus position, the City Treasurer be authorized to transfer funds as an addition to the approved 1981 Municipal Contribution, not to exceed \$500,000.00, to the Hamilton Convention Centre in 1981 to cover the anticipated first-year shortfall.

Submitted with this agenda is a copy of a summary of a comparison of the 1981 approved budget with the 1981 revised budget as submitted by the Hamilton Convention Centre.

2. Approval of the sale of the following City-owned properties:-

(a) To the Governing Council of The Salvation Army, Canada East, 204 Bond Street North, a parcel of rear land at 204 Bond Street North, measuring 28' by 20' for the sum of \$300.00. Offer to be accepted on or before October 30, 1981. Cash deposit \$30.00. Balance on closing of sale which shall be on or before November 27, 1981.

(b) To William and Marie Menzies, of 220 Bond Street North, a parcel of rear land at 220 Bond Street North, measuring 35' 6" by 20' 10", for the sum of \$300.00. Offer to be accepted on or before October 30, 1981. Cash deposit \$30.00. Balance on closing of sale which shall be on or before November 27, 1981.

(c) To John and Lena Cutillo, of 256 Bond Street North, a parcel of rear land at 256 Bond Street North, measuring 49' 6" by 19' 6", for the sum of \$300.00. Offer to be accepted on or before October 30, 1981. Cash deposit \$30.00. Balance on closing of sale which shall be on or before December 7, 1981.

3. Section 3 of the Fourteenth Report of the Personnel Committee makes reference to the implementation of a Long Term Disability Plan at a cost of approximately \$200,000.00 per year.

The Finance Committee recommends that the cost of implementing the Long Term Disability Plan, effective November 1, 1981, for the months of November and December, 1981, estimated at \$35,000.00, be financed by a transfer of funds from the Contingency Account to be credited to Account Number 0378-0103.

4. Section 1 of the Fourteenth Report of the Personnel Committee makes reference to the purchase of safety footwear in 1981 for the Hamilton Fire Department at an estimated cost of \$16,540.00.

The Finance Committee recommends that an overdraft be approved in the appropriate account of the Fire Department pending a further review of expenditures to determine whether a transfer from another Fire Department expenditure account can be made at a later date.

5. That the Group Life Insurance Policy be renewed with Canada Life Assurance Company for a further five-year period from November 1, 1981 to October 31, 1986 with a continuation of the "stop-loss" arrangement under which deficits are absorbed by the Assurance Company and any surplus is refunded to the City with the following terms:-

- (a) accept a guaranteed rate basis for the continuance of the present \$.49 per month per \$1,000.00 for the first year and the premium rate to be recalculated at each annual anniversary date based on the age, sex and amount of insurance at that time;
- (b) establish a pooling level of \$60,000.00;
- (c) continue the risk charge at 3 1/2% of gross premiums, and
- (d) eliminate further liability for the waiver claims and leave them as the responsibility of the insurance company.

6. That the proposed reduction of \$33,300.00 to the 1981 budget estimates allocated by the Finance Committee for the consideration of Departments represented by the Planning and Development Committee be allocated on a proportionate basis (based on total 1981 approved estimates) to these Departments, as follows:

Building Department	\$18,300.00
Community Development Department	3,000.00
Co-ordinator, Lloyd D. Jackson Square	1,300.00
Local Planning	<u>10,700.00</u>
Total	<u>\$33,300.00</u>

7. Approval of the settlement of claims in accordance with the following:-

- (a) Dunn and City of Hamilton vs Cockburn, date of accident - April 18, 1978. That this claim be settled in the amount of \$750.00, inclusive of costs, payable to The Corporation of the City of Hamilton.
- (b) Fuciarelli, Sousa, Coffey and City vs Law, date of accident - February 3, 1979. That these claims be settled by payment to the City of \$3,095.46, inclusive of costs, regarding Mr. Fuciarelli; \$2,415.00, inclusive of costs, regarding Mr. Sousa; \$740.00, inclusive of costs, regarding Mr. Coffey; and \$961.09, inclusive of costs, regarding the City's property damage.

- (c) Brett vs City of Hamilton, date of accident - August 6, 1979.
That this claim be settled by payment to Mrs. Brett of \$1,800.00,
inclusive of costs.
- (d) Young vs City of Hamilton and CNR, date of occurrence - June 27,
1979. That this claim be settled in the amount of \$1,500,
inclusive of costs, payable to Mr. Young, or as he directs.

NOTE: Members of City Council who wish to obtain more detailed
information respecting these claims, are requested to
contact the Secretary, Finance Committee.

8. Section 2 of the Seventeenth Report of the Legislation Committee refers to
the refurbishing of the reception/meeting room and Mayor's Office at an esti-
mated cost of \$40,000.00.

The Finance Committee recommends that this expenditure be charged to the
Reserve for Capital Projects - Specified Account Number 0280-10.

Respectfully submitted,

ALDERMAN P. O. VALERIANO,
CHAIRMAN.

R. M. Collier, Secretary.
October 23, 1981.

REPORT OF THE LEGISLATION COMMITTEE

To The Council of The Corporation of The City of Hamilton.

Members of Council:

The Legislation Committee presents its SEVENTEENTH Report and respectfully recommends:

CIVIC AWARDS

1. That civic awards be made to the following:
 - a) Glen Black who brought honours to the City of Hamilton in 1981 by winning the Novice Mens Figure Skating Division National Championship.
 - b) Alf Sundin who brought honours to the City of Hamilton in 1981 by winning a Canadian Championship in Weight Pentathlon.
 - c) Jan Wilson who brought honours to the City of Hamilton in 1980 by winning the Ontario Masters Bowling Championship.
 - d) Paul Bellavia who brought honours to the City of Hamilton in 1980 by winning the Canadian Midget Wrestling Championship.

CITY HALL FACILITIES

2. That the Mayor's reception/meeting room and Mayor's office be refurbished at an estimated cost of \$40,000.00 and that the Director of Purchases be authorized to call for public proposals.

NOTE: For the information of the Members of City Council, the City Treasurer has confirmed that the necessary funding is available in the Reserve for Capital Projects - specified account.
3. That the Hamilton Mum Show Committee be permitted to put on a display of mums advertising the Mum Show under the stairs in the City Hall main foyer beginning the week of October 26, 1981.
4. Approval of the action of the Legislation Committee in authorizing the Hungarian Council of Hamilton to fly the Hungarian flag on City Hall from October 22 to 30, 1981 in commemoration of the 25th anniversary of Hungary's fight for freedom of October 23, 1956.

RESOLUTIONS

5. That the following resolutions be endorsed:
 - a) City of Sudbury

"WHEREAS it is abundantly clear that an increased number of homeowners in the City of Sudbury are, and will be, facing serious financial burdens because of the high interest rate on mortgages;
AND WHEREAS the burdens experienced by these homeowners are being faced by similar residents in other municipalities;

AND WHEREAS government at the Municipal level is the grass roots government, and thus, the members of Municipal Councils share most closely the feelings of despair and anger of the people of this community over escalating mortgage interest rates;

AND WHEREAS every person in this country resides in a municipality of one form or another, and is subject to, not only the national economic problems, but also those of his/her respective municipality caused by the national economic dilemma;

AND WHEREAS inflation and high interest rates are causing a severe and costly impact on municipalities in providing the necessary services to its taxpayers due to the national situation;

AND FURTHER because municipal Councils share most closely the concerns of their people and must in many instances, unfairly answer for the problems created by the Federal Government;

NOW THEREFORE BE IT RESOLVED this Council does hereby petition all municipalities in Ontario to present their support of this resolution, in writing to:

The Right Honourable Pierre Elliot Trudeau;
The Honourable A. MacEachen, Minister of
Finance;
respective Members of Parliament."

b) City of Brampton

"THAT whereas Brampton has participated in the Federal AHOP and Provincial OHAP programs;

AND WHEREAS in addition to the aforementioned government assisted plans, large numbers of homes have also been built outside such programs;

AND WHEREAS many of the first mortgages on such principal residences are annually coming up for renewal at current rates far in excess of the original rate for which such owner had been approved;

AND WHEREAS because of such growth and increased municipal debenture costs, taxes have risen sharply over the last five (5) years thus imposing a further burden on homeowners of this City;

AND WHEREAS large numbers of citizens of this community will suffer serious financial strain and even loss of their homes in being required to renew mortgages at current rates and pay such taxes;

THEREFORE BE IT RESOLVED that the Council of the City of Brampton petition the Federal and Provincial Governments to consider relief to such homeowners through tax reductions by allowing such homeowners, on their principal residence, to deduct the increased interest on first mortgages and taxes from their Federal and/or Provincial tax payable or in the alternative lenders be allowed to deduct from Federal and/or Provincial tax payable the same percentage of the difference between the interest charged on such first mortgage loans at the prevailing rate as such lender is required to pay under the Income Tax Act on other income.

FURTHER that the Federal and Provincial Governments exempt interest paid on municipal debentures from taxation as is done in the United

States, thereby allowing municipalities to borrow money at rates of 3 to 5% rather than 21 or 22%, and in so doing municipal taxes could be reduced substantially.

The second alternative above noted could also be employed to encourage lenders to loan money to farmers and small businessmen at less than prevailing rates.

Copies of this resolution to be sent to the Prime Minister of Canada, The Minister of Finance, John McDermid, M.P., Premier William Davis, A.M.O. and all municipalities with a population in excess of 100,000."

c) City of Windsor

"WHEREAS high interest rates have caused a curtailment in capital projects for both the private and public sectors,

AND WHEREAS the reduction in capital projects has put an undue burden on the construction industry where numerous companies are facing financial difficulties,

AND WHEREAS high unemployment in the construction industry has resulted,

AND WHEREAS further curtailment in capital programs can be anticipated in the coming year,

THEREFORE BE IT RESOLVED that the Provincial and Federal Governments BE PETITIONED to immediately introduce an incentive program to stimulate high labour intensive capital works immediately, in areas of high unemployment and that this resolution be submitted to our Members of Parliament and our Members of the Ontario Legislative Assembly and circulated to all Canadian municipalities."

OTHER

6. That only one Council meeting be held during the month of December and that this meeting be held Tuesday, December 8, 1981.
7. That the Mayor be authorized to proclaim Saturday, December 26, 1981, Boxing Day, as a Civic Holiday.
8. That the Federal Ministry of Transport be advised that the City of Hamilton has no objection to allowing a helicopter from Glanford Helicopter Service Ltd. to land on a site known as Sir Isaac Brock School, 300 yards south of the front parking lot at the Queenston Mall on November 27, 1980 for the purpose of bringing Santa Clause to the Queenston Mall for its Christmas Programme, as requested by the Queenston Mall Merchants' Association, subject to the City of Hamilton being added as a named insured on the policy covering the operation of this aircraft in an amount satisfactory to the City Clerk.
9. That the tax adjustments as set out in Schedules A, B and C. Compassionate, Realty and Business respectively be approved as recommended by the Tax Appeal Sub-committee as a result of its hearing of October 22, 1981.

C

10. That leave be granted to introduce the following bill:

Bill B-38 - A by-law to confirm proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

Alderman J. MacDonald, Chairman

S.G. Hollowell, Secretary
Typed by S.M. Albano
October 23, 1981

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its TWENTY-SIXTH Report for 1981 and respectfully recommends.

1. Approval of the acquisition of the property at 207 Belmont Avenue, from Isabel Palmer for the sum of \$20,000.00. Option to be accepted on or before October 30th, 1981. Cash on closing of sale which shall be on or before December 4, 1981.

This property is required for parks purposes in the Crown Point West Neighbourhood. Sufficient funds are available in account 0408-C16086, to provide for this acquisition.

2. That Mr. Sam Taylor of Taylor, Leibow, Lukas, Pomerantz and Weisman, Chartered Accountants, be retained by the Corporation of the City of Hamilton as an expert witness in connection with the Land Compensation Board Hearing, which will arbitrate the amount of compensation to be paid with respect to the expropriation of 3.5493 acres of land on the western limits of Mount Albion Road, from Mr. R. W. Kemp.

The estimated fee to retain Mr. Taylor is \$1,000.00.

For the information of the members of City Council, the property in question was expropriated from Mr. Kemp in 1972, for parks purposes.

3. The following recommendation of the Local Architectural Conservation Advisory Committee is herewith submitted along with a recommendation for approval from the Parks and Recreation Committee:
 - (a) That the building at 13-15 Inglewood Drive, known as "INGLEWOOD", be designated pursuant to the provisions of The Ontario Heritage Act, 1974, as a building of historical and architectural value.
 - (b) That the City Solicitor be authorized and directed to take appropriate action to have this building designated pursuant to the provisions of The Ontario Heritage Act, 1974.

NOTE: Attached, as schedule "A" to this report, is an extract from the report prepared for the Local Architectural Conservation Advisory Committee noting the significance and history of this structure.

Also, for the information of the members of City Council, the committee wishes to advise that the owner of this property, Jacqueline J. Schneider, has requested that the building be designated pursuant to the provisions of The Ontario Heritage Act.

4. That the following be formally appointed to the Local Architectural Conservation Advisory Committee, for the years 1981 and 1982 and that the City Solicitor be authorized and directed to prepare a by-law to give effect to same.

Adlerman Wm. McCulloch
Alderman R. Wheeler
Mr. Bruce Berglund
Mr. Anthony Butler
Mrs. Diane Dent
Mr. Brian Henley
Mrs. Cynthia Moore

5. That the City Solicitor be authorized and directed to prepare and have executed an agreement between the Corporation of the City of Hamilton, Hamilton, Place as co-sponsors, and Tamara International, Producers, to present the play "Tamara", at Dundurn Castle, throughout the month of November, 1981.

For the information of the members of City Council, the deficit, if any, for the production of this play, will be borne by Hamilton Place. The profits, if any, will be shared on a 50/50 basis between the City and Hamilton Place.

6. That the following special admission rates be established, effective, 1982, to allow the Boards of Education to book combined tours of Dundurn Castle and the Military Museum:

Children	.....	.75
Adults	.....	2.25

7. Approval of the following purchase:

DEPARTMENT OF PUBLIC WORKS - PARKS DIVISION

HALTON CERAMICS, Burlington, Ontario

37,900 Assorted clay pots and 800 planters \$13,356.14

NOTE: Lowest of two quotations.

For the information of the members of City Council, this order is to replace pots and planters destroyed in a recent fire in the Gage Park Greenhouse.

8. (a) Approval of the concept plan (Alternative 4), attached as schedule "B", prepared by William L. Sears and Associates Ltd., for the Central Neighbourhood Park, at an estimated construction cost of \$459,700.00.
- (b) That a total construction budget of \$468,000.00 be approved for this project in order to allow for some adjustments and changes to the plan, as a result of input from the ward aldermen and local citizens.

NOTE: For the information of the members of City Council, this plan is in accordance with the original concept plan for this park as approved by City Council in February, 1980.

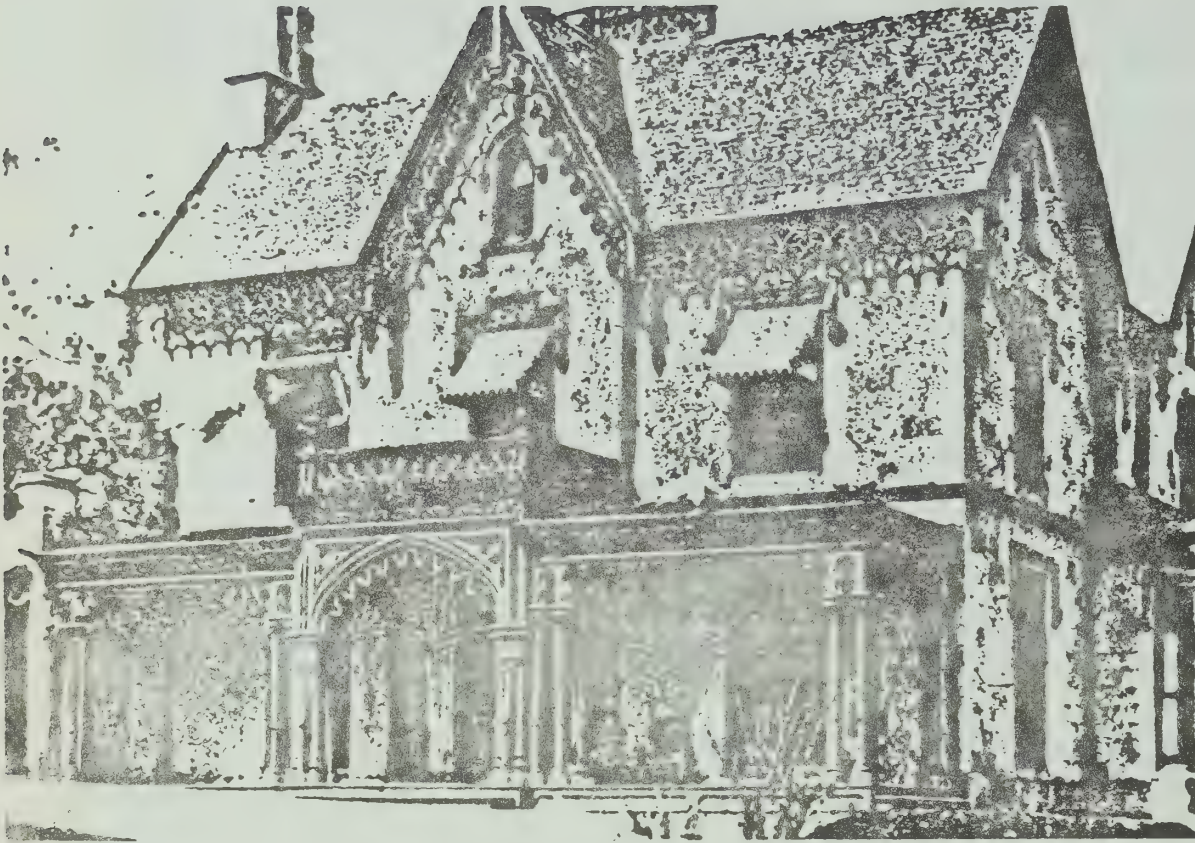
The committee further wishes to advise that the \$468,000.00 required for the development of this park will be financed pursuant to the provisions of the Community Services Contributions Programme (C.S.C.P.), as approved by City Council with the adoption of Section 4 of the 17th Report fo the Planning and Development Committee, on April 24th, 1979.

Respectfully submitted,

ALDERMAN K. M. EDGE, CHAIRMAN
PARKS AND RECREATION COMMITTEE

J. J. Schatz, Secretary
October 15th, 1981

attchms.



INGLEWOOD
15 INGLEWOOD DRIVE
HAMILTON, ONTARIO

An Architectural and Historical Report
by Nina Chapple
Research by Katharine M. O'Connor
1980

For the Local Architectural Conservation Advisory
Committee, Hamilton Historical Board

INGLEWOOD
15 Inglewood Drive
Hamilton, Ontario

SIGNIFICANCE

Inglewood along with Rock Castle and Auchmar qualify as the city's finest Gothic Revival villas to survive from the mid-nineteenth century, the heyday of the movement. Built by the successful wholesale merchant, Archibald Kerr, c. 1850, Inglewood testifies to the excellence of design and workmanship that was possible in residential architecture on the grand scale

In terms of Inglewood's elegantly beautiful, gothic interior, the villa is virtually unsurpassed in the city and, as one of the best examples of its kind in Ontario, it has become a landmark of provincial importance.

The design of Inglewood has been attributed to William Thomas, architect of such notable public buildings as St. Paul's, Hamilton, St. Lawrence Hall and St. Michael's Cathedral, Toronto, and the Guelph City Hall. Considered "the leading exponent of the Decorated (Gothic Revival) style in Canada West", Thomas has applied his expertise in religious architecture to residential design and Inglewood survives as an outstanding, and rather rare, example of his gothic interior house designs, in a much better state of preservation, in fact, than his own house in Toronto.

The original owner of Inglewood was Archibald Kerr, a Scotsman in the wholesale dry goods business who had arrived in Hamilton in 1836 and whose firm, A. & T.C. Kerr, developed into one of the most successful houses in Hamilton by the 1850's. Although he returned to his native Scotland, he left a legacy of a handsome stone store and home behind and several years later he donated the beautiful fountain that decorated Gore Park for many years. Later, the home was the residence of such well known Hamiltonians as T.C. Kerr, his brother, John Stuart, president of the Bank of Hamilton, W. D. Long of Long & Bisby, woolen dealers, and William Southam, editor of the Hamilton Spectator.

HISTORY

The transformation of Hamilton in the 1840's from a small outpost settlement to a permanent metropolitan centre was brought about by a group of courageous pioneer leaders who had vision and wealth. To this group belonged Archibald Kerr, the builder of Inglewood.

Like the more famous in his group, Sir Isaac Buchanan and John Young, Kerr also came from Scotland, opened a wholesale dry goods business in the city and within a short time became enormously wealthy. Kerr had spent four years in Montreal in the employ of his uncle, William Kerr, learning the trade, before he settled in Hamilton in 1836 and opened up a joint business with his brother, Thomas Cockburn Kerr.

By 1850, the Kerr brothers had established a thriving business, whose assets were valued many times higher than their neighbouring businesses on the Gore. They had had built the handsome stone stores at 18-20, 22 King Street East which are one of the few survivors from the pre-Confederation era on the Gore. Within several years, Archibald built his palatial homestead on the scenic slopes of the escarpment for his growing family.

Like many of these early leaders, Archibald was involved in many aspects of Hamilton's growth. He served as a founding father of the Board of Trade in 1845, and investor in the Burlington Bay Dock and Shipbuilding company which facilitated the shipping of his goods. In addition, he was a founding director of the Canada Life Assurance Company, the country's first life insurance company. His activities were almost entirely centered on financial matters which were apparently all highly successful. At the age of forty-one, Archibald Kerr, like his neighbour and fellow Scotsman, Richard Juson, retired back to

his native Scotland, a man of fortune after only twenty years in the fledgling town. His return home explains to some degree the reason Kerr is less well known today than some of his compatriots who stayed. He did, however, leave a tangible legacy behind in the form of his handsome stone stores and home. Nor did he forget the city which had brought him success for, in 1860, when the Prince of Wales, later King Edward the VII, came to visit, Archibald Kerr donated the handsome fountain for the new Gore Park, in time for the formal opening of the Water Works by the Prince.

At the time of Archibald Kerr's departure for Scotland in 1856, his brother and partner, Thomas Cockburn Kerr, moved into Inglewood to enjoy the rewards of the good country life for the next eight years. T.C. Kerr was the younger and very sociable brother, and contemporary accounts tell of the marvelous balls and parties that took place in Inglewood. Thomas is also known to us as one of the generous benefactors of St. Paul's Church, of which William Thomas was the designer. T.C. Kerr continued in the dry goods business, taking on as partners, John Brown and later, Mackenzie, but he moved out of Inglewood to a smaller home at MacNab and Herkimer St. in 1864.

After the sudden death of Archibald Kerr in Scotland in 1868, at the age of 53, Inglewood was sold to a Miss May, a mysterious figure who is said to have come from the South and also at one time occupied Dundurn Castle.

Shortly thereafter, however, John Stuart purchased the home, owning it until 1905. The son of an architect, James Stuart, John had come from Scotland like the Kerrs and had embarked in the wholesale business in Hamilton, in this case the wholesale grocery business known as Harvey, Stuart & Co., established in 1864. Before coming to Hamilton, Stuart had worked in Toronto for Jacques and Hay, cabinet makers and upholsterers, first as a bookkeeper, then as

a business manager, then partner. At some point he married Jane Jacques.

In the tradition of the civic leaders before him, Stuart's responsibilities and contributions ranged far beyond his own business interests. He, too, was on the Board of Trade, president in 1868-69, and a director of the Canada Life Assurance Company. During the period when railroad expansion was at its height, Stuart was connected with no less than five different lines. In 1881, he became president of the newly formed Bank of Hamilton, an office which he held until 1903, during which time the bank facilities had so expanded as to serve the North West Territories and British Columbia. During his term of office, the bank built the structure at the south west corner of James and King Streets, to which was added five more stories and renamed the Imperial Bank of Commerce.

In 1874, Stuart was elected as an MP for Norfolk on the Reform Party. During John Stuart's residency, Inglewood made the news when his Excellency, the Marquis of Lansdowne, stayed there when on an official visit to the city as Canada's Governor-General.

In 1905 Inglewood passed into the hands of W.D. Long, another successful merchant, who had built his wealth up in the wool business. Unlike his predecessors, Long was a native of Missouri who shortly following the Civil War, established the woollen firm of Long and Bisby. According to early accounts, the bulk of wool raised in Canada passed through this house which proved lucrative enough to make W.D. Long a millionaire. He gave generously to civic associations and was known particularly as a staunch supporter of the Mountain Sanatorium, having donated the escarpment property to establish the hospital in 1905. In 1920 he died at the age of eighty, leaving nearly two million dollars to his sister, Mrs. Bisby.

During the next eight years the home served as the residence of James A. Wattie, an insurance executive who decorated

Inglewood with a beautiful collection of ivories, china, and bronzes which he had acquired when living in China. Henry Kittson then purchased the property in 1911, and proceeded to subdivide the land under the name Inglewood Ltd. Subsequently a number of homes were erected but not without certain imposed controls. During the residency of William Southam of the Hamilton Spectator, the home continued to be kept in a good state of repair and at some time it was divided into two spacious living quarters, the east half now the home of Mr. and Mrs. George Schneider and the west half occupied by layer Argue Martin. It was extremely fortunate with the development of the neighbourhood that Inglewood was able to survive, deprived of its park-like setting but still retaining its gracious, historic interior.

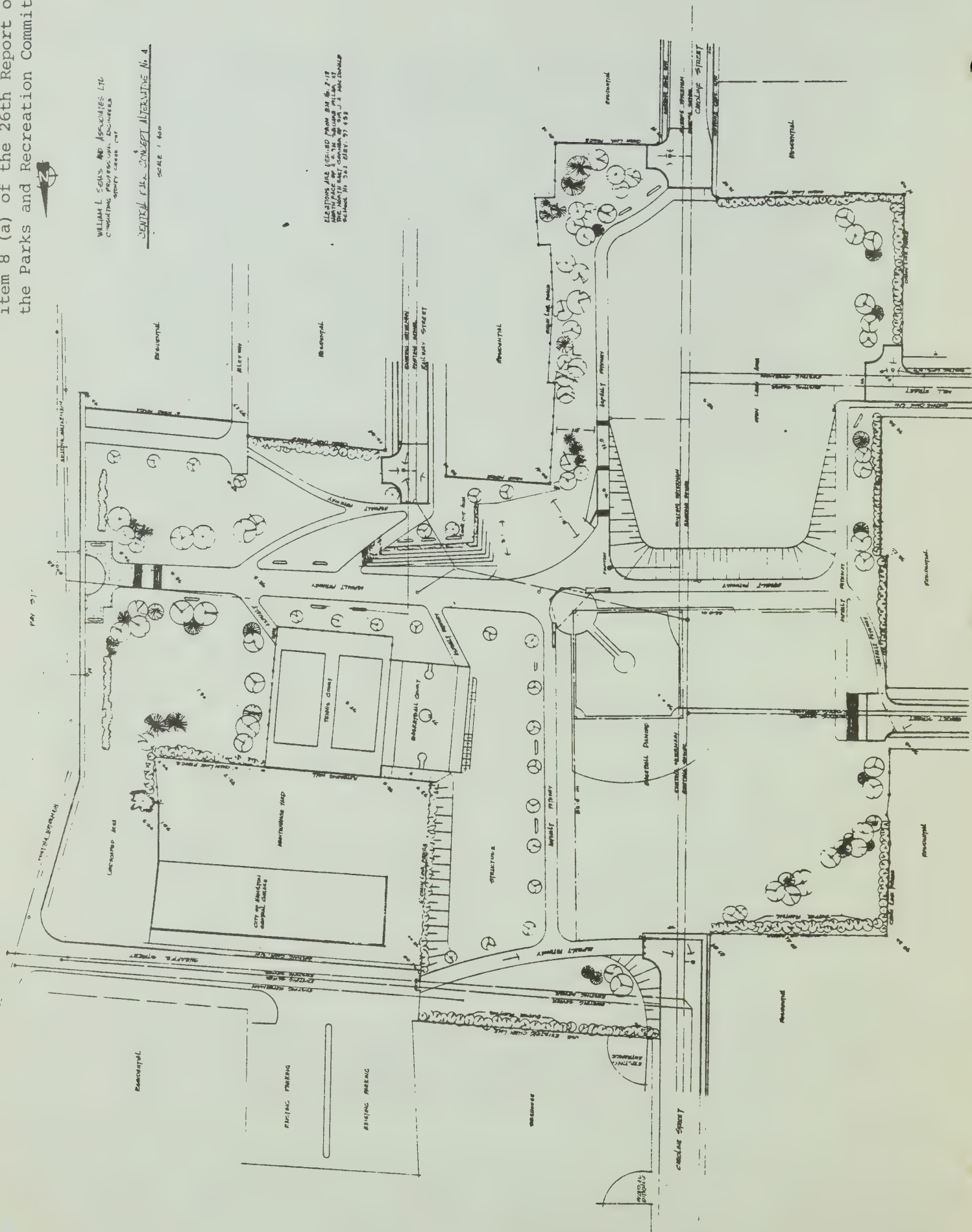
Photographs: Historic, courtesy of George Schneider: pp 1,3,6,7.
19th century; front page, p.5.
by Nina Chapple: pp.2,4,6,8,9,11.

Schedule "B", as referred to in item 8 (a) of the 26th Report of the Parks and Recreation Committee

WILLIAM L. COUS AND ASSOCIATES LTD.
CONSULTING ENGINEERS AND ARCHITECTS
SUITE 1000, 1000 BAYVIEW AVE. TORONTO, ONT.

CENTRAL PARK CONCEPT ALTERNATIVE No. 4
SCALE 1:400

EXISTING AND PROPOSED PARKS AND RECREATION
THE NORTH EAST CORNER OF THE CITY OF TORONTO
SCHEDULE No. 26, 26th REPORT, 1971



REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of The Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its TWENTYFOURTH Report and respectfully recommends:-

1. That approval be given to Zoning Application 81-54, Centennial Pines Motel, owner, to establish a change in zoning and modification to the Zoning Regulations for property located at #395 Centennial Parkway North, as shown on the attached plan marked as APPENDIX "A" on the following basis:
 - i) That the subject lands be rezoned from "KK" (Restricted Heavy Industrial) District to "HH" (Restricted Community Shopping and Commercial) District.
 - ii) That the "HH" (Restricted Commercial, etc.) District provisions as contained in Section 14A of By-law 6593 be modified as follows:
 - a) that notwithstanding the provisions of Section 14A(1) of By-law 6593, only the following uses shall be permitted:
 1. a motel;
 2. a single family dwelling;
 3. a restaurant and motel office use; and
 4. uses accessory to the foregoing permitted uses.
 - iii) That the amending by-law be added to Section 19(b) of the Zoning By-law as Schedule S-772, and that the subject land on Zoning District Map E-102 be notated as S-772.
 - iv) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No.6593 and Zoning District Map E-102 and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk.
 - v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note - The By-law will provide for a change in zoning from "KK" (Restricted Heavy Industrial) District to "HH" (Restricted Community Shopping and Commercial) District, to permit only a motel, a single family dwelling, a restaurant and motel office use, and accessory uses to the foregoing permitted uses, on the property located at #395 Centennial Parkway North, the location of which is shown on Zoning District Map E-102.

2. That approval be given to Zoning Application 81-56, Murray J. Thomson and Jessie Thomson, owners, requesting a change in zoning from "AA" (Agricultural) District to an appropriate Residential District with respect to the land located on the west side of Normanjean Avenue in the area south of Stone Church Road West as shown on the plan marked as APPENDIX "B" attached on the following basis:

- i) That the subject land be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential) District
- ii) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law 6593 and Zoning District Map E-38C and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk
- iii) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note - The by-law will provide for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District of land located on the west side of Normanjean Avenue in the area south of Stone Church Road West, the location of which is shown on Zoning District Map E-38C. The purpose of the change is to permit the construction of a single family dwelling on the land.

3. (a) That approval be given to Official Plan Amendment No.371 to establish a text amendment to the existing "Residential" designation to allow for limited light industrial and commercial uses on lands located at #24 to #60 Sanford Avenue North, and that the City Solicitor be directed to prepare a by-law to adopt this Official Plan Amendment for submission to the Minister of Municipal Affairs and Housing.
- (b) That approval be given to Zoning Application 81-43, M. & S. Hoffman, prospective owner, requesting a modification to the established "J" (Light and Limited Heavy Industry etc.) District to permit additional industrial and commercial uses on lands located at #24 to #60 Sanford Avenue North, as shown on the attached plan marked as APPENDIX "C", attached, on the following basis

- 1) that the "J" (Light and Limited Heavy Industry, etc.) District regulations as contained in Section 16 of By-law No.6593 be modified to permit only the following uses within the existing building(s):

1. Any industrial use for the sole purpose of the assembly of parts which have been fabricated elsewhere.
2. A small metal-wares factory provided that there is no hammering or stamping operation by power machinery.
3. A ceramic factory.
4. A plastic products factory for the manufacture of plastic products other than linoleum or products of cellulose, pyroxylin, or other such highly inflammable or explosive

materials, or the impregnation of any fabric by oxidizing oils and provided that all such manufactures are from previously prepared materials.

5. A warehouse.
6. Commercial printing.
7. Publishing and printing.
8. A paper products factory except the manufacture of building paper, tar or asphalt composition roofing, saturated paper, excelsior or fibre.
9. A factory for the manufacture of:

Brooms, brushes, mops, carpet sweepers, artificial flowers and feathers, fountain pens and pencils, artificial ice, electric lamps and lamp shades, mattresses, musical instruments, regalia and society emblems, electric signs and other signs, stamps and stencils, statuary, art goods and novelties, toys, umbrellas.

Provided:

- (a) That there is no hammering or stamping operation by power machinery, and no kiln; and
 - (b) That there is no power-driven mechanical equipment operated by other than an electric motor of a rating of 746.0 watt (one horse power) or less.
10. Men's, women's and children's clothing industries.
 11. Foundation garment industry.
 12. Miscellaneous clothing industries.
 13. Coffin and casket industries.
 14. Electric lamps and shade manufacturers.
 15. Manufacturers of lighting fixtures.
 16. A carpenter's shop.
 17. A bookbinder's or upholsterer's shop.
 18. A photographer's or artist's studio.
 19. Household appliance repair shop.
 20. Retailing or plumbing fixtures.
 21. A pharmaceutical, chemical or optician's laboratory.

22. A retail or wholesale store accessory to any industrial uses as listed above not occupying more than 15% of the floor area.
 23. All uses accessory to the industrial or commercial uses as listed above.
- ii) that By-laws 74-60 and 78-289 be amended by deleting reference to the subject lands on the respective by-law Schedules "A-9" and "A".
 - iii) that the amending By-law be added to Section 19(b) of the Zoning By-law as Schedule S-775 and that the subject land on Zoning District Map E-22 be notated S-775.
 - iv) that the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-22 and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk.
 - v) that the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area, with the approval of Amendment No. 271.

Explanatory Note - The purpose of the By-law is to modify the established "J" (Light and Limited Heavy Industry, etc.) District to permit limited light industrial and commercial uses, excluding a bakery, within the existing building(s) located at #24 to #60 Sanford Avenue North as shown on Zoning District Map E-22.

- (c) That By-law 79-275 establishing site plan control areas be amended by adding to Schedule "B" the lands described on APPENDIX "C" attached, and that the City Solicitor be directed to prepare a by-law accordingly.
4. (a) That approval be given to Official Plan Amendment No. 373 to establish a text amendment for lands located to the south-west of Rymal Road East and the future extension of Upper Gage Avenue. The purpose of the amendment is to permit a retail fruit and vegetable market use within the existing building, and to permit the outside storage, display and sale of garden supplies limited in area to that currently being used, on an interim basis only, and that the City Solicitor be directed to prepare a by-law to adopt this Official Plan Amendment for submission to the Minister of Municipal Affairs and Housing.
 - (b) That approval be given to Zoning Application ZA-79-19, DiCenzo Construction Company Limited, owner, to modify the established "AA" (Agricultural) District to permit a fruit and vegetable market use on lands located to the south-west of Rymal Road East and the future extension of Upper Gage Avenue, as shown on the attached plan marked as APPENDIX "D" on the following basis:
 - i) That notwithstanding the provisions of Section 7A(1) of By-law 6593, only the following uses shall be permitted on the subject lands.

- (1) a retail fruit and vegetable market use within the existing building as established at the date of passing of this by-law;
 - (2) the outside storage, display and sale of garden supplies, limited in area to that currently being used.
- ii) That the amending by-law be added to Section 19(b) of the Zoning By-law as schedule S-773, and that the subject land on Zoning District Map E-38E be notated as S-773.
 - iii) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No.6593 and Zoning District Map E-38E and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk.
 - iv) That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon approval of Official Plan Amendment No.373.

Explanatory Note - The By-law will provide for a modification to the established "AA" (Agricultural) District regulations to permit only the existing retail fruit and vegetable market use within the building, established at the date of passing of this by-law, and the outside storage, display and sale of garden supplies limited in area to that currently being used on property located to the south-west of Rymal Road East and the future extension of Upper Gage Avenue, as shown on Zoning District Map E-38E.

It is the intent to permit this use on an interim basis, until such time as the lands are redeveloped in accordance with a registered plan of subdivision.

5. That approval be given to City Initiative 81-X to establish a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, of the rear part of property located at 681 Limeridge Road East, as shown on the attached plan marked as APPENDIX "E", and

That The City Solicitor be directed to prepare a by-law to amend Zoning By-law No.6593 and Zoning District Map E-38A and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk. The proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note - The by-law will provide for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District of the rear portion of property located at 681 Limeridge Road East, the location of which is shown on Zoning District Map E-38A. The purpose of the change is to provide uniform zoning of the properties in question.

6. That approval be given to City Initiative 81-Y to establish a modification to the "A" (Conservation, Open Space, Park and Recreation) District regulations with respect to lands located at 44 and 52 Elgin Street, as shown on the attached plan marked as APPENDIX "F" on the following basis:
 - i) That pursuant to the provisions of Section 35(29) of The Planning Act, the subject land may be used for parking for a further period not exceeding two years.

- ii) That the amending by-law be added to Section 19(b) of the Zoning By-law as Schedule S-774 and that the subject land on Zoning District Map E-4 be notated S-774.
- iii) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No.6593 and Zoning District Map E-4.
- iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note - The by-law will provide for a modification to the "A" (Conservation, Open Space, Park and Recreation) District Regulations applicable to the property at Nos.44 and 52 Elgin Street, as shown on Zoning District Map E-4, so as to permit the land to be used for parking on a temporary basis pursuant to Section 35(29) of The Planning Act.

- 7. That Zoning Application 81-34, Gertrud Waldbroel, owner, relating to 190 Delaware Avenue, be refused for the following reasons:
 - a) the requested increase in the capacity of the residential care facility from 6 to 18 residents is considered to be excessive, particularly in view of the concentration of such facilities in this area.
 - b) approval of this application may set a precedent and may encourage requests to increase significantly the capacity of other residential care facilities established in this area.
- 8. That the request as part of Site Plan Control Application DA 76-44 for modification to the registered plans for 554 John Street North to change the 1.8 m (6') high wood fence to vinyl-coated chain link fencing be approved subject to 1.0 m (3') high cedar shrubs, or equivalent, being planted at a distance of 1.75 m (2.4') on centres in the 1.2 m (4') planting areas adjacent to the fence; and further

that Council not support the delay in implementation of the approved and registered landscape and grading plans for a period of five years, but that the applicant be permitted to implement the approved landscape and grading plans by June 30, 1982.
- 9. That the Real Estate Department be authorized and directed to commence buying properties in the north-east section of the Alpha Enclave as indicated on the plan attached as APPENDIX "G" as soon as possible.

That a clearance and relocation task force consisting of representatives from the Real Estate Department, Economic Development Department, Social Services Department and the Planning and Development Department be set up to administer the clearance and relocation.
- 10. That the Building Commissioner be authorized to issue Demolition Permits for the demolition of residential buildings as outlined below for which application has been processed through the Building Department and the Planning and Development Committee:-

159 Mohawk Road East, 197 Kenilworth Avenue North, 1046 Rymal Road East

11. Approval of the list of applicants submitted herewith and authorization for the Department of Community Development to process grants and/or loans in an amount not to exceed \$7,500.00 with the actual amount of grant or loan to be determined by inspection of the property under the Property Standards By-law 74-74 and pursuant to By-law 78-113. ¹

That the officials of the Corporation involved in this Programme be authorized to take all action that is necessary to process these loan applications and that the Mayor and City Clerk be authorized to execute on behalf of the City any documents required in connection with the Hamilton Rehabilitation Programme:

R. Howard
127 Wood Street East

G. Pryde
71 Harrison Avenue

12. Approval of the list of applicants submitted herewith and authorization for the Department of Community Development to process grants and/or loans in an amount not to exceed \$7,500.00 with the actual amount of grant or loan to be determined by inspection of the property under the Property Standards By-law 74-74 and pursuant to the Housing Development Act Regulation 688/74.

That the officials of the Corporation involved in this Programme be authorized to take all action that is necessary to process these loan applications and that the Mayor and City Clerk be authorized to execute on behalf of the City any documents required in connection with the Ontario Home Renewal Programme:

W. Jenson
576 Catharine Street N.

E. Knipp
48 Gladstone Avenue

W. Yeomans
916 Stone Church Road E.

G. Cimadamore
563 East 27th Street

G. Cordiner
52 Mallony Avenue

M. Caruso
22 Colbourne Street

E. Barbieri
83 Simcoe Street E.

A. Lilley
48 Kipling Road

N. McCrudden
16 Normanhurst Avenue

A. Wilson
308 Houghton Avenue S.

J. Adams
81 Manning Avenue

E. Arbour
253 East 17th Street

M. Scobie
159 Arkell Street

M. Gilkinson
1 Skyland Drive

E. Dowler
291 Paling Avenue

J. Wenzel
273 Brucedale Avenue E.

C. Camiletti
12 Brucedale Avenue W.

P. Button
187 Britannia Avenue E.

N. Knapitsch
26 Delaware Avenue

13. That the 1' Reserve fronting onto Delawana Avenue being composed of part of Lot 27, Concession 2, Saltfleet and which has a perpendicular width of 1' by a frontage of 91.8', be sold to The Roman Catholic Episcopal Corporation of the Diocese of Hamilton for the purchase price of \$2.00.

14. Approval of the payment of an account as taxed submitted by Mr. Brian W. Morison in the amount of \$2,560.00 regarding the application for leave to appeal and judicial review by the residents in the area of Upper James Street and Rymal Road West and the City respecting McDonalds restaurant which were heard by the Divisional Court in Toronto on December 5th to 6th 1978 and were dismissed, with the City ordered to pay half of Mr. Morison's costs. The above amount represents half of Mr. Morison's costs.

15. That leave be granted to introduce the following Bills:

- (a) D-133 - By-law to amend Zoning By-law No.6593 respecting Second-hand Goods Shops in "G-1" (Designed Shopping Centre) Districts
- (b) D-134 - By-law to Authorize Demolition and Clearing of Buildings, Structures, Debris or Refuse at Municipal No.563 Corbett Street
- (c) D-135 - By-law to Adopt Official Plan Amendment No.367 respecting lands located at Municipal Nos. 1719, 1721, 1723 and 1728 King Street East and lands located in the area north of Lawrence Road and west of Kenilworth Avenue to just north of King Street East
- (d) D-136 - By-law to Adopt Official Plan Amendment No.368 respecting lands located at Municipal Nos. 221 and 223 Mary Street
- (e) D-137 - By-law to Adopt Official Plan Amendment No.369 respecting lands located in the area south of Limeridge Road East and on the east and west sides of the extension of Upper Kenilworth Avenue
- (f) D-138 - By-law to amend Zoning By-law No.6593 respecting land bounded by Secord Drive, Rainbow Drive and Glen Echo Drive
- (g) D-139 - By-law to amend Zoning By-law No.6593 respecting land located at the rear of Municipal No.1591 Upper James Street and No.49 Rymal Road East
- (h) D-140 - By-law to amend Zoning By-law No.6593 respecting lands located in the area south of Limeridge Road East, east of the extension of Upper Kenilworth Avenue
- (i) D-141 - By-law to amend Zoning By-law No.6593 respecting lands located south of King Street East and West of Kenilworth Avenue and lands located on the north side of King Street East
- (j) D-142 - By-law to amend Zoning By-law No.6593 respecting land located at Municipal No.424 Upper Horning Road
- (k) D-143 - By-law to amend Zoning By-law No. 79-165 respecting land located in the area east of Upper Paradise Road and north of Stone Church Road West

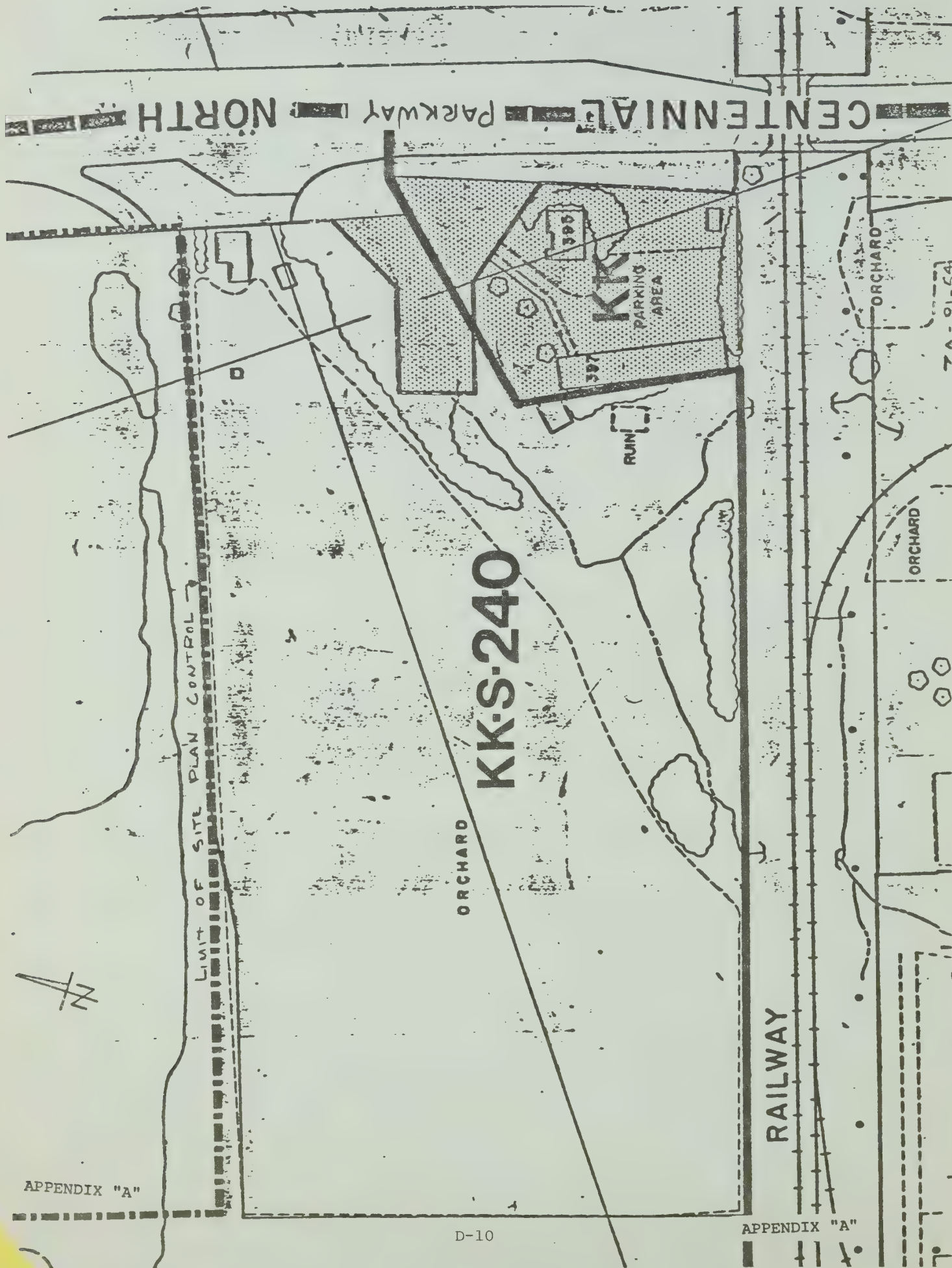
- (1) D-144 - By-law to amend Zoning By-law No.78-176 respecting land located on the east side of Upper Wentworth Street, in the area north of Stone Church Road
- (m) D-145 - By-law to amend Zoning By-law No.6593 respecting land located at Municipal No.102 Vine Street
- (n) D-146 - By-law to amend Zoning By-law No.6593 respecting land located at Municipal Nos.221 and 223 Mary Street
- (o) D-147 - By-law to amend Zoning By-law No.6593 respecting land located at Municipal No.18 Haddon Avenue South
16. That representatives of the Gibson and Landsdale Neighbourhood Improvement Programme (N.I.P.) Citizen's Planning Committee, be authorized to attend the forum "Building Towards 2001" to be held in Toronto November 2, 3 and 4, 1981, at an estimated cost of \$230.00. The costs with respect to this forum to be financed from the N.I.P. Accounts.

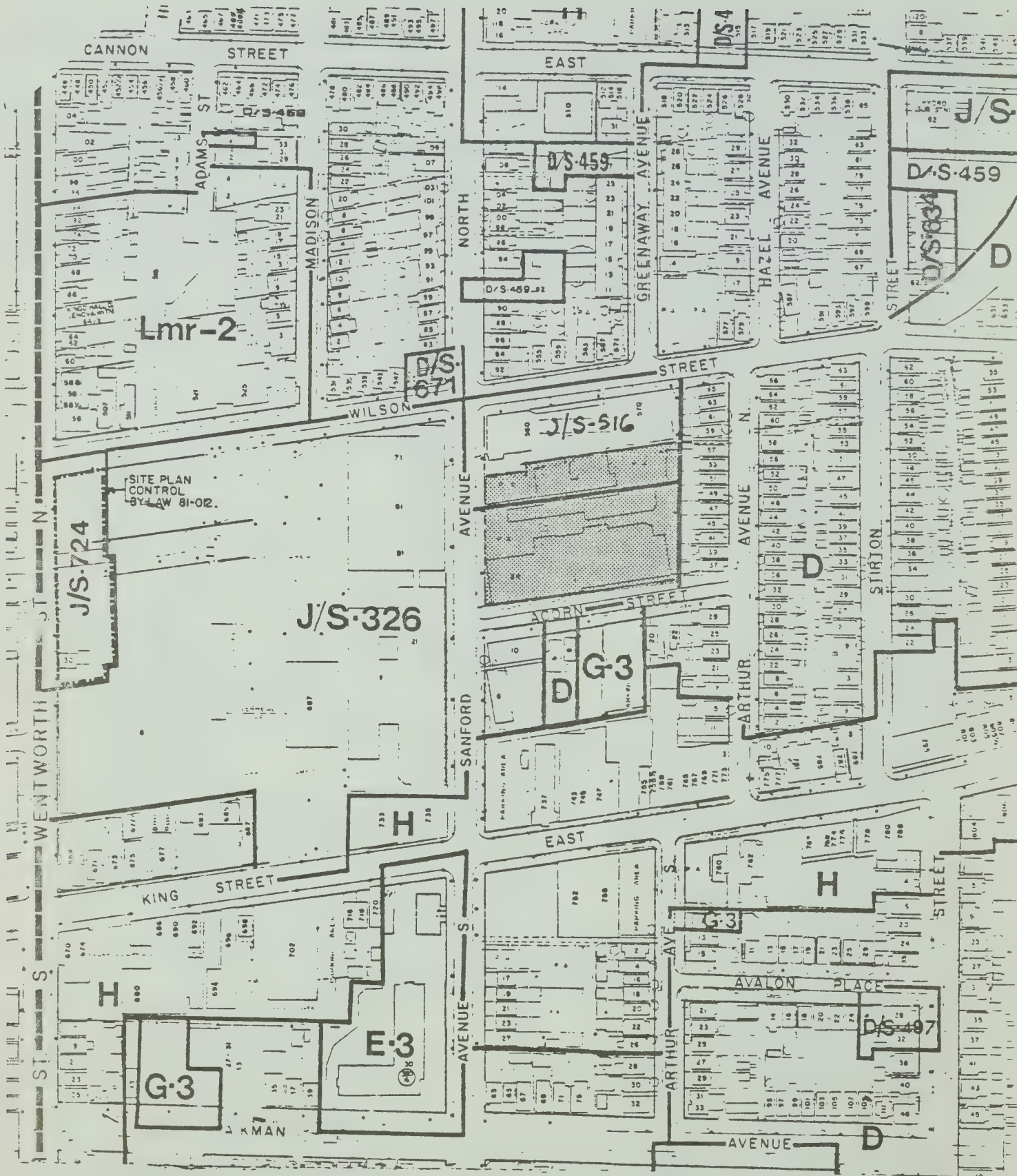
For the information of Members of Council, the above recommendation is without precedence.

Respectfully submitted,

JDT:bg
October 14, 1981

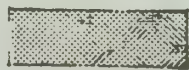
Alderman W. M. McCulloch
Chairman





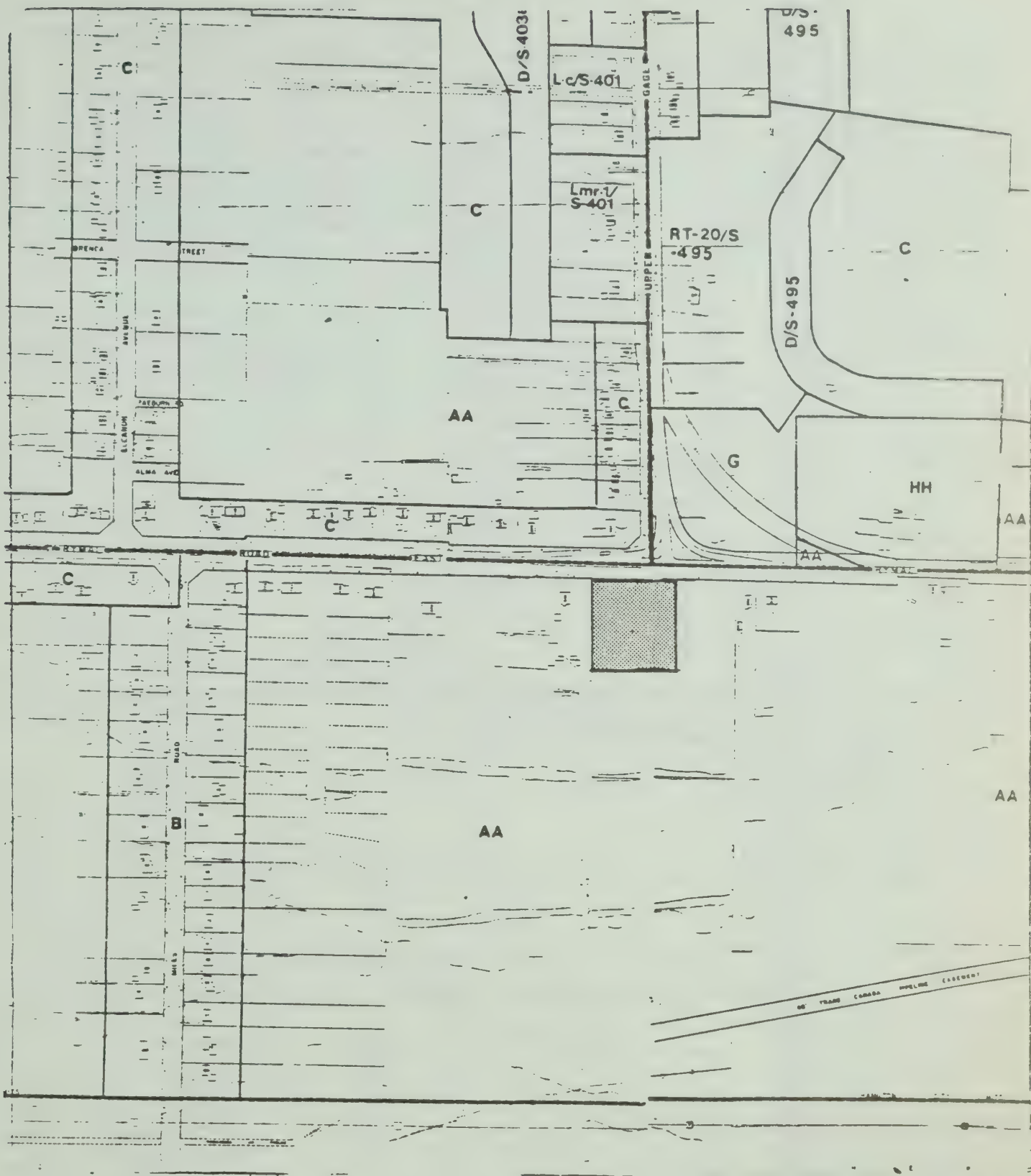
LEGEND

APPENDIX "C"



Site of the application.

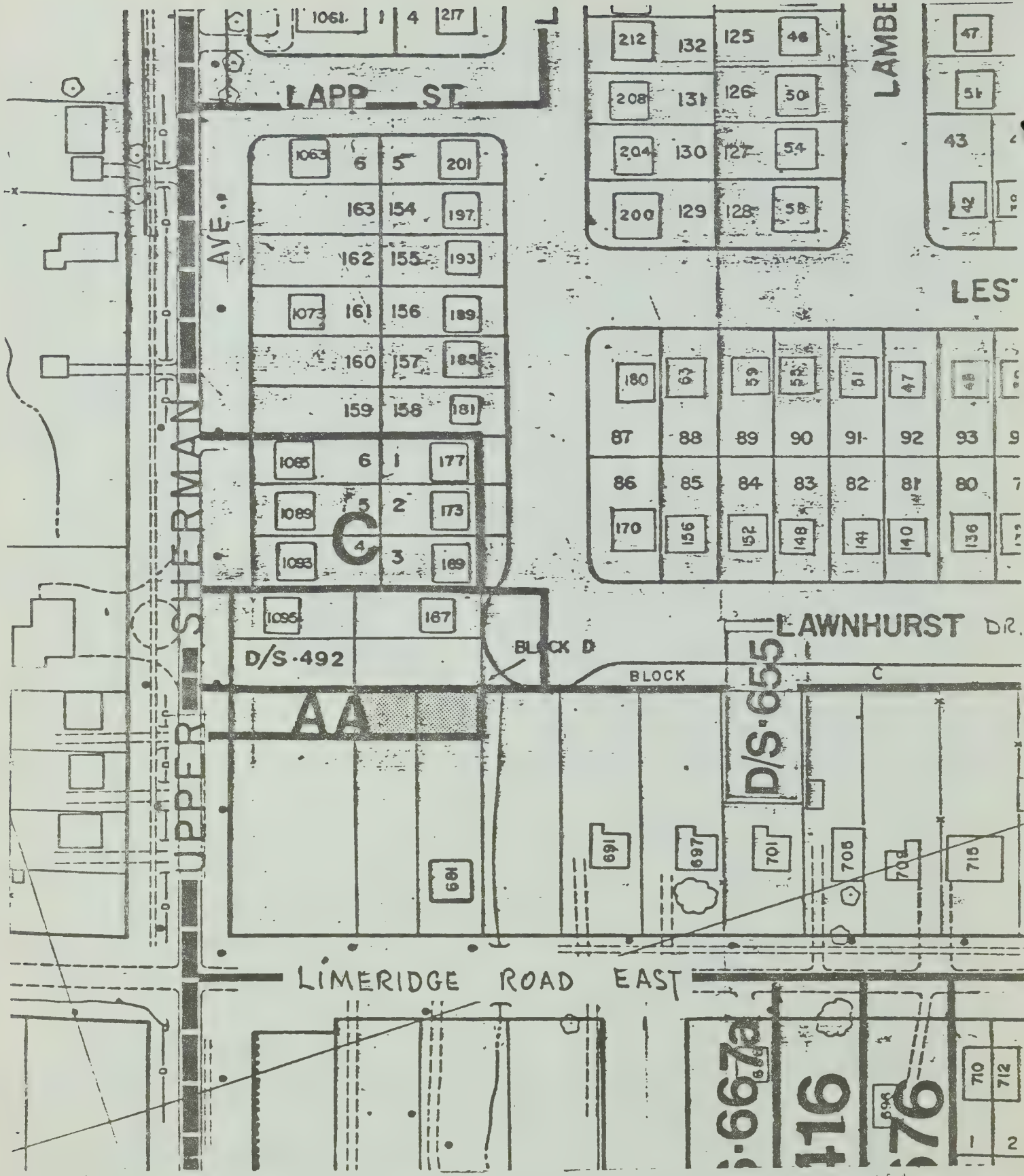
APPENDIX "C"



LEGEND



Site of fruit, vegetable and garden supply business.



APPENDIX "E"

LEGEND.

SITE OF THE APPLICATION

E-384

C.I. 61-1

APPENDIX "E"

Plan A

Proposed Clearance Alpha Enclave



North Eastern section
proposed for initial clearance program
58 Houses

Alpha area
149 houses

APPENDIX "G"

APPENDIX "G"

D/S-459

D/S-459

D-16

REPORT OF THE TRANSPORT & ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its NINETEENTH Report for 1981 and respectfully recommends:

AIRPORT

1. That permission be granted the 447 Wing, Royal Canadian Air Force Association, to erect a CF-100 airplane in the 447 Wing parking lot in celebration of the Wing's 20th Anniversary on May 29, 1982.

NOTE: The CF-100 was donated by the Canadian Warplane Heritage to the 447 Wing in recognition of this Anniversary. The airplane will be erected facing the proposed location for the new road into the Airport which will be constructed as part of the renovation project at the Hamilton Civic Airport.

2. That Council adopt the following respecting additional rent for Airport lands at the Hamilton Civic Airport:

(i) Experimental Aircraft Association - that no additional rent be charged to this non-profit organization and that the Real Estate Department prepare a brief to the Ministry of Transportation outlining why additional charges are deemed to be inappropriate at this time.

(ii) Canadian Warplane Heritage Inc. - Building T32 - that the new rate be \$1,232.50 (plus taxes) which is the rate established for the apron to the side of the hangar. There are to be no charges for the parking in taxi area in front of the hangar. NOTE: The above rate to be phased-in over two years as follows:

August 1st, 1981 to July 31st, 1982	\$ 616.25
August 1st, 1982 to July 31st, 1983	\$1,232.50

This rental of \$1,232.50 to continue to the expiration of the existing lease for hangar lands which is December 31st, 1984.

(iii) Hamilton Flying Club - Building T35 - that no increase in rental charges be imposed on the Hamilton Flying Club at this time.

(iv) (a) Inter-flite - Building T33 - that the new rate be \$900.00 (plus taxes) which is the rate established for the apron to the side of the hangar. There is to be no charge for the parking and taxi area in front

of the hangar. NOTE: The above rate to be phased-in over two years as follows:

August 1st, 1981 to July 31st, 1982 \$ 450.00
August 1st, 1982 to July 31st, 1983 \$ 900.00

The rental of \$900.00 to continue to the expiration of the existing lease for hangar lands which is December 31st, 1984.

- (b) Inter-flite - Building T36 - that the new rate be \$1,450.00 (plus taxes) which is the rate established for the apron to the side of the hangar. There is to be no charge for the parking and taxi area in front of the hangar. NOTE: The above rate to be phased-in over two years as follows:

August 1st, 1981 to July 31st, 1982 \$ 775.00
August 1st, 1982 to July 31st, 1983 \$1,450.00

This rental of \$1,450.00 to continue to the expiration of the existing lease for hangar lands which is December 31st, 1984.

- (v) Peninsulair Services Ltd. - Building T34 - that the new rate be \$1,450.00 (plus taxes) which is the rate established for the apron to the side of the hangar. There is to be no charge for the parking and taxi area in front of the hangar. NOTE: The above rate to be phased-in over two years as follows:

August 1st, 1981 to July 31st, 1982 \$ 775.00
August 1st, 1982 to July 31st, 1983 \$1,450.00

This rental of \$1,450.00 to continue to the expiration of the existing lease for hangar lands which is December 31st, 1984.

PURCHASING

3. That the report of the Director of Purchases respecting the following, be approved:

- (i) Eastgate Ford Sales & Services Ltd., Hamilton, Ontario

For the supply and delivery of One (1) Ford C8000 Chassis complete with Mobile Tank Flusher, in accordance with specifications issued by the Director of Purchases and Vendor's Tender for the total sum of \$61,430.00
Federal & Ontario Sales Taxes Exempt.

NOTE: Lowest of 5 tenders.

- (ii) O'Brien Installations Ltd., Stoney Creek, Ontario

For the supply and Installation of Overhead Crane at Central Garage in accordance with specifications issued by

the Director of Purchases and Vendor's Tender for the total sum of \$25,261.45
Ontario Sales Tax Exempt.

NOTE: Lowest of 3 tenders.

SOLICITORS

4. That the Mayor and City Clerk be authorized to execute a deed in favour of the present owners of 210 East 28th Street, Gyula Horvath and Mira Horvath, to a portion of an alley, abutting their lands, in the rear of 210 East 28th Street, which alley was closed by Judge's Order.

NOTE: This alley was closed in 1951 and a Certificate of Order was registered on title on September 28, 1951 as Instrument No. 194923 N.S. Pursuant to The Surveys Act, The City is required to convey the portion of alleys so closed to the abutting owner. In this instance, the request for such a conveyance was only recently made.

5. That the Mayor and City Clerk be authorized to execute a quit claim deed in favour of the present owners of 542 Upper Wentworth Street to a portion of an alley, abutting their lands, in the rear of 542 Upper Wentworth Street, which alley was closed by Judge's Order.

NOTE: This alley was closed in 1947 and a Certificate of Order was registered on title on August 7, 1947 as Instrument No. 125444 N.S. Pursuant to The Surveys Act, the City is required to convey the portion of alleys so closed to the abutting owner. In this instance, the request for such a conveyance was only recently made.

REAL ESTATE

6. (i) That the portion of Glover Mountain Road designated as Part 1 on Reference Plan 62R-5900, which said part was closed by By-law E84 at City Council's September 29th meeting, be sold to the Regional Municipality of Hamilton-Wentworth for the purchase price of \$1.00.
- (ii) That, should City Council approve the sale of these lands to the Region, the Mayor and City Clerk be authorized to execute the attached documents.
7. That the City purchase the 15' wide alley in the block bounded by Main Street East, Gage Avenue South, Maplewood Avenue and the T.H. & B. Railway for the sum of \$151.00 from the Willard S. Freeman Estate.

NOTE: If the City is to proceed with the paving of this land, the City must have ownership in order to make this 15' wide strip of land a public assumed alley and maintain

same after paving.

8. That the leasing of 7 Limeridge Road East to Mrs. Lynne White at a monthly rental of \$250.00 (including realty taxes) commencing October 1, 1981 be approved and that the Mayor and City Clerk be authorized to execute the Tenancy Agreement.

REGIONAL ENGINEERING

9. Whereas Clause 11 of the Twentieth Report of the Planning and Development Committee, adopted by City Council at its meeting held on 8th 08 25, recommended that a 5' high chain link fence be installed between the proposed Condominium and the adjacent open space area and whereas it is the City's Fence Policy that the cost of all materials and installation is to be shared equally between the sub-divider and the City it is therefore recommended:
 - (i) that the City Treasurer be authorized to pay the applicant, DiCenzo Construction Company Ltd., for one half of the actual cost of the proposed fence in the amount estimated to be \$2,500;
 - (ii) that the City Treasurer be authorized to issue payment after the proper completion of this installation to the satisfaction of the Commissioner of Engineering;
 - (iii) that the City's share of the cost of this facility be charged to the Reserve for Services Through Unsubdivided Lands, Account No. 0280-12.
10. That the Commissioner of Engineering, on behalf of the City of Hamilton, advise the Ministry of Transportation and Communications that:
 - (i) the proposed redevelopment of the Queen Elizabeth Way is in accordance with and required for the City's official Plan and is compatible with the policies and intentions of the City of Hamilton;
 - (ii) the City of Hamilton is of the opinion that twinning the existing skyway bridge alternative is the best solution;
 - (iii) the City supports the proposal of the Ministry of Transportation and Communications to redevelop the Queen Elizabeth Way between the Guelph Line in Burlington and Highway #20 in Hamilton as recommended in their Environmental Assessment Report - Type 1.

NOTE: In June 1981, a brief was submitted by the Council of the Region of Hamilton-Wentworth to the Honourable Keith Norton, Minister of the Environment commenting on the Regional perspective regarding the Queen Elizabeth Way Redevelopment for the following:

- A. Existing Traffic Conditions
- B. Compatibility with Official Plan
- C. Staging of the Project
- D. Planning and Integration with the Regional Road System

In its Twelfth Report for 1981 the Transport and Environment Committee respectfully recommended:

That the City of Hamilton adopt the recommendation contained in the Brief to the Honourable Keith Norton as submitted by the Council of the Regional Municipality of Hamilton-Wentworth.

This recommendation was subsequently adopted by City Council at a Special Meeting on 81 06 16.

It is the City of Hamilton's opinion:

- (i) That both Stage 1 and Stage 2 are needed now and should be undertaken as soon as possible.
- (ii) That twinning the existing skyway bridge alternative is the best solution, both environmentally and economically.
- (iii) That Stage 3 in the interests of good planning should also be accommodated.

11. Whereas a Paving Agreement was entered into by the City of Hamilton and Mr. J. Duncan, owner of 192 Bold Street, registered on 23 07 03 as Instrument No. 252291 and whereas an Agreement is no longer required due to a change in the Streets By-law, we recommend:

- (i) That the City Solicitor, be directed to prepare a discharge of the Agreement.
- (ii) That the Mayor and City Clerk be authorized to execute the discharge.

12. That the Commissioner of Engineering be authorized to approve applications for the erection of Christmas lights and decorations on local roads provided:

- (i) That the Associations indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and losses, and
- (ii) That the Associations produce proof of public liability and property damage insurance of at least \$500,000. and have same filed with the Commissioner of Engineering, and
- (iii) That the Associations hire their own contractor(s) to erect and remove the said lights and decorations.

NOTE: It is understood that all applicants will be required to obtain the permission of the proper Utility Authority where necessary.

13. Whereas the Transport and Environment Committee is in receipt of an application by Mr. Robert J. Hanley of 47 Flatt Avenue and Mr. Donald Bean of 39 Flatt Avenue, to close the north-south portion of the alley bounded by, Hyde Park Avenue, Flatt Avenue Glenside Avenue and Aberdeen Avenue and whereas Civic Departments have indicated no objection to the closing, it is therefore recommended:
- (i) That the City Solicitor be authorized to make application to a county court judge under Section 82 of the Registry Act, R.S.O. 1980, said application to be made only after the applicants have complied with clauses 4, 5 and 6 of this recommendation;
 - (ii) That the City Solicitor be authorized to prepare and register the necessary deeds in favour of the abutting owners under Section 57 of the Surveys Act, R.S.O. 1980;
 - (iii) That the Regional Commissioner of Engineering be authorized to sign an affidavit setting out that no public funds have been expended on the portion of alleyway to be closed;
 - (iv) That documentation regarding the application to the county court judge be prepared by the applicants, to the satisfaction of the City Solicitor and that the applicants be responsible for all fees payable in county court;
 - (v) That the applicants register a reference plan under the Registry Act, said plan to be prepared by an Ontario Land Surveyor, to the satisfaction of the City Surveyor and to delineate the manner in which the closed portion is to be distributed among the abutting owners and that the applicants deposit a reproducible copy of said plan, with the City Surveyor;
 - (vi) That a 1.22 metre easement be registered in favour of Bell Canada for the entire length of the alley to provide access to their aerial plant;
 - (vii) That the Regional Commissioner of Engineering be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval of the proposed closing under Section 51 of Bill 155.

TRAFFIC

14. (i) That Schedule 10 (Stops at Intersections) of By-law 66-100 To Regulate Traffic be further amended by deleting therefrom the following item, namely:

"Beechwood Eastbound and Westbound Melrose".

and by adding thereto the following items, namely:

"Melrose Northbound and Southbound Beechwood
Selway Southbound Angus:."

- (ii) That Schedule 25 (Parking Time Limits) be amended by adding thereto the following section, namely:

"15 Half Hour Limit between the hours of 9 o'clock in the forenoon and 9 o'clock in the afternoon, on the following streets and parts of streets, excepting such parts of same where parking or stopping is prohibited.

<u>STREET</u>	<u>SIDE</u>	<u>LOCATION</u>
Eastbourne	Both	Main to Delaware"

- (iii) That Schedule 26 (No Parking Areas) be amended:

- (a) by adding to Section A (No Parking Anytime) the following item, namely:

"St. Joseph's North Commenceing 389 feet west of the easterly end of the street to a point 32 feet westerly therefrom".

- (b) by deleting from Section B (Loading Zones) the following item, namely:

"Duke South 60 feet 30 feet west of Park".

- (iv) That Schedule 29 (No Stopping Areas) be amended by deleting from Section A (No Stopping Anytime) the following item, namely:

"Duke South MacNab to 98 feet east".

and by adding thereto the following item, namely:

"Duke South MacNab to 78 feet east".

- (v) That the report of the Hamilton-Wentworth Regional Police Department, dated September 21, 1981, be approved, and that a School Traffic Officer be assigned to the intersection of Upper Sherman Avenue and Jasmine Street.
- (vi) That the report of the Hamilton-Wentworth Regional Police Department dated September 25, 1981, be approved, and that a School Traffic Officer be assigned to the intersection of Stone Church Road and Quinn Avenue during the noon hour.

- (vii) That the report of the Hamilton-Wentworth Regional Police Department, dated September 30, 1981, be approved, and that a School Traffic Officer be assigned to the intersection of King Street and Glendale Avenue.
 - (viii) That no action be taken on the request to initiate time limit parking on Mary Street between Barton Street and Murray Street.
15. That the application of Mr. Joseph Scardamaglia to lease a portion of the Boulevard on Thorndale Avenue adjacent to Campus Hairstyling, 1481 Main Street West, for parking purposes, be approved during the pleasure of City Council provided:
- (i) That the owner complies with the requirements as set out in the Policy respecting using a portion of the road allowance for parking purposes.
 - (ii) That the approach and parking area be constructed in accordance with the submitted plan at the owner's expense.
 - (iii) That the owner prepares and executes an agreement, satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
 - (iv) That the applicant pay an annual fee of \$75.00 in addition to the \$25.00 annual fee to be charged to the applicant for encroachment insurance.

MISCELLANEOUS

16. That the Ministry of the Environment be requested to submit to Council, through its Transport and Environment Committee, the following:
- (i) A concise report respecting the air quality in the City of Hamilton for a period covering the last six months.
 - (ii) A complete report outlining specific sources of pollution along Confederation Park and the Hamilton Harbour including the Windemere Basin. Said report to include a full inventory of chemicals, run-offs and sewage deposits into the Bay.

BY-LAWS

17. That leave be granted to introduce the following Bills:
- (i) Bill No. E90 - By-law to close and sell a portion of Napier Street from Bay Street North, to 81.69 metres (268 ft.) westerly.

- (ii) Bill No. E91 - By-law to amend By-law number 66-100 to regulate traffic.
- (iii) Bill No. E92 - By-law to amend By-law number 66-100 to regulate traffic.

Respectfully submitted

ALDERMAN F. LOMBARDO
CHAIRMAN

R.C. Prowse,
Secretary,
October 19, 1981

REPORT OF THE PERSONNEL COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Personnel Committee presents its FOURTEENTH Report for 1981 and respectfully recommends:

1. Approval of the purchase of safety footwear for the Fire Department at an estimated cost of \$16,540.00 in order to comply with the Occupational Health and Safety Act, 1978, (Article 14 and 16). Further that the Finance Committee be requested to recommend the method of financing for this expenditure.
2. Approval of the following increased rates of pay for the Gift Shop Manager at Dundurn Castle:

	<u>1st Year</u>	<u>2nd Year</u>	<u>3rd Year</u>
Effective January 1, 1981	4.66	4.90	5.20
Effective January 1, 1982	5.15	5.41	5.75

3. That the Sun Life Assurance Company of Canada be appointed as the Carrier for the Long Term Disability Plan for Civic Employees in the following categories:

Supervisory and Confidential
Convention Centre
Department Heads and Deputies
Hamilton Place
Parking Authority
Local 167 C.U.P.E.
Local 167 Parking Authority
Local 1041 Foremen
Local 5 Outside Workers
Local 772 Maintenance and Operating Engineers

and, that the City Solicitor and the City Clerk be authorized and directed to enter into a contract between the Corporation and the Sun Life Assurance Company on the basis of a fully pooled plan.

For the information of the members of Council, a report compiled by Kenneth G. Brown Associates dated October, 1981 is attached which explains and recommends the appointment of the Sun Life Assurance Company.

RESPECTFULLY SUBMITTED,

ALDERMAN P. DRAGE,
CHAIRMAN
PERSONNEL COMMITTEE

G. W. McMillan,
Secretary
October 21, 1981

Refer to Section 3 of the Fourteen Report of the Personnel Committee.

Report to
The Corporation of the City of Hamilton
On

TENDERS FOR A
LONG TERM DISABILITY PLAN

Plan specifications outlining details of the various provisions agreed to by management and union groups were distributed to the following insurance companies with instructions to quote strictly in accordance with the provisions of the plan:

Canada Life
Confederation Life
Constellation
Dominion Life
Equitable
Excelsior
Great-West
Imperial
London Life
Mutual Life
Mutual of Omaha
Sun Life

Four quotations were received which conform with the plan requested. The other insurers declined to make submissions for a number of reasons such as:

- "our contract would have to include pre-existing conditions"
- "declining to provide a quotation since the "own occupation" definition of disability is union negotiated and must be adhered to for the Hourly employees as well as the Salaried employees"
- "in view of the high blue collar content"
- "quoting on L.T.D. benefits only"
- "we cannot offer a 2 year rate guarantee".

The companies which submitted proposals will be identified at the end of the report.

PREMIUMS

The insurers were requested to quote on two bases,

- (a) FULLY POOLED - which means that the risk is included in the insurance company's general experience and the cost to the Corporation will be the actual premiums paid, and
- (b) PARTIALLY EXPERIENCE RATED - under this arrangement the premium covering the first two years of payments to a disabled employee is experience rated, and the cost to the Corporation will be a combination of claims paid, plus retention and pooling charges.

The following is a comparison of the premiums quoted under the two methods.

The cost is expressed as a percentage of the insured annual payroll (\$23,678,570).

(a) FULLY POOLED

<u>Company</u>	<u>Percentage</u>	<u>Annual Premium</u>
A	1.060%	\$250,992
B	1.741%	412,248
C	1.106%	261,888
D	.847%	200,556

(b) PARTIALLY EXPERIENCE RATED

<u>Company</u>	<u>Percentage</u>	<u>Annual Premium</u>
A	1.160%	\$274,668
B	No Quote	---
C	1.129%	267,324
D	.911%	215,712

Note that there are higher premiums payable under the Experience Rated method and while there is potential for a lower net cost using this approach, the bottom line will not be known until the actual number of claimants emerges. The actual cost will be determined from the claims paid, plus retention and pooling charges, with adjustments for interest and reserve factors. A summation of these items follows.

CASH CLAIMS ESTIMATES

The insurance companies were asked to provide their estimates of the annual cash payments made to claimants for the first two years of disability claims and they ranged from \$75,936 to \$94,139 and averaged \$85,492. Our projections produce annual claims of \$94,700, more in line with the highest estimate.

NET PREMIUM AFTER CHARGES FOR
RETENTION, POOLING AND RESERVES

The Retention charges are the amounts required by the insurance company to cover administration expenses, contingency reserves, taxes and commissions.

The Pooling charge is made to cover claims lasting beyond two years which then become the responsibility of the insurer.

Five Year Averages

Company	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>
Annual Premium	\$274,668	---	\$267,324	\$215,712
Less: Pooling Charge	<u>123,605</u>	---	<u>125,646</u>	<u>95,340</u>
Experience Rated Premium	151,063	---	141,678	120,372
Less: Retention Charges	<u>16,069</u>	---	<u>21,885</u>	<u>21,861</u>
Available for Claims	134,994	---	119,793	98,511
Less: Unreported Claims Reserve	<u>17,625</u>	---	<u>14,486</u>	<u>12,349</u>
Net Premium to cover Cash Claims	\$117,369	---	\$105,307	\$ 86,162

SELECTION OF CARRIER

It is obvious that Company D offers rates on either basis which are much more attractive than any of the three other submissions. The question is which underwriting method would develop the lowest net cost, balanced with the lowest risk to the Corporation.

The options are:

Fully Pooled at \$200,556, or

Partially Experience Rated at \$215,712.

It may be helpful to examine a lay-out of Company D's Retention illustration. Note that the premium contained in the figures differs slightly from the above due to a small variance in their calculation of annual payroll.

RETENTION ILLUSTRATIONFive Year Average

	<u>First Year</u>	<u>Years 2-5</u>	<u>Five Year Average</u>
Premium	\$216,029	\$216,029	\$216,029
<u>Claims Charges:</u>			
Paid Claims	26,540	88,285	75,936
Open & Unreported Reserves	61,745	--	12,349
Pooling Charge	<u>95,340</u>	<u>95,340</u>	<u>95,340</u>
Total Claims Charges	183,625	183,625	183,625
<u>Retention Charges</u>	21,947	21,839	21,861
<u>Interest Credits on:</u>			
Cash Flow	\$ 6,498	\$ 951	\$ 2,060
Open & Unreported Reserves	<u>--</u>	<u>10,842</u>	<u>8,674</u>
Total Interest Credits	6,498	11,793	10,734
<u>Experience Rating</u>			
Refund	\$ 16,955	\$ 22,358	\$ 21,277

Please note that the interest credits result mainly from an assumption of low cash claims in the first year which may not develop.

RECOMMENDATION

We suggest that the Corporation enter into a contract with Company "D" on a Fully Pooled basis for the following reasons.

- (a) Lowest initial cost to the Corporation.
- (b) The plan submitted meets the specifications and includes a high non-evidence monthly benefit of up to \$5,000.
- (c) It is very difficult to ascertain the claims experience in advance when there is no prior plan.
- (d) There is a heavy weighting of "Blue Collar" workers who have a higher incidence of claims than employees with lighter duties.
- (e) We do not foresee any appreciable return for the risk incurred in paying the additional \$15,000 in annual premium for the Experience Rated plan unless the incidence of claims is significantly lower than anticipated.
- (f) If claims experience is poor, the renewal rates following the two year guarantee will be lower on a Pooled basis.
- (g) Company D is the Sun Life Assurance Company of Canada, a major underwriter of Long Term Disability insurance covering over half a million employees. It is recognized as having excellent claims control systems and rehabilitation services which are most important under this type of insurance.

COMPANIES MAKING SUBMISSIONS

Company

- A The Canada Life Assurance Company
- B The Equitable Life Insurance Company
 of Canada
- C London Life Insurance Company
- D Sun Life Assurance Company of Canada

APPENDIX APERCENTAGE COSTS BY CLASS

Breakdown of costs by Class of employees expressed as a percentage of payroll.

<u>Class</u>	<u>Union Code</u>	<u>Description</u>	<u>%</u>
01	A	Supervisory and Confidential	.641
	C	Convention Centre	
	D	Department Heads and Deputies	
	H	Hamilton Place	
	V	Parking Authority	
		250 Employees - Payroll \$6,655,993	
02	1	Local 167 C.U.P.E.	.552
	4	Local 167 Parking Authority	
		421 Employees - Payroll \$6,981,546	
03	3	Local 1041 Foremen	1.225
		55 Employees - Payroll \$1,123,754	
04	5	Local 5 Outside Workers	1.184
		478 Employees - Payroll \$8,485,013	
05	7	Local 772 Maintenance and Operating Engineers	1.177
		22 Employees - Payroll \$432,264	
Composite		1,226 Employees - Payroll \$23,678,570	.847

Urb/Mun

MEETING OF CITY COUNCIL

2nd FL

NOVEMBER 10, 1981

A G E N D A

- A Finance Committee
- B Legislation Committee
- C Parks and Recreation Committee
- D Planning and Development Committee
- E Transport and Environment Committee
- F Personnel Committee
- J By-laws

REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:-

The Finance Committee presents its TWENTY-FIRST Report and respectfully recommends:-

1. Section 4 of the Twenty-Seventh Report of the Parks and Recreation Committee makes reference to a feasibility study being carried out to determine what commercial and/or public uses might be accommodated in the former Main Library building, Main Street West, and that the Finance Committee recommend the method of financing the City's share up to \$5,000.00.

If City Council agrees with the recommendation of the Parks and Recreation Committee for the City to fund up to \$5,000.00 or 25% (whichever is the lesser) of the cost of the feasibility study with respect to the former Main Library building, the Finance Committee recommends that a transfer of \$5,000.00 be made from the Contingency Account to Account 0378-6956.

2. That the former Main Library building at 55 Main Street West be demolished.

Submitted with this agenda is a copy of information at the disposal of the Finance Committee which was previously forwarded to the members of City Council along with information respecting the proposed designation of this building, all of which is being made available to assist the Council in its consideration of this recommendation.

3. Section 3 of the Twenty-Seventh Report of the Parks and Recreation Committee makes reference to the installation of an irrigation system at the Chedoke Beddoe Golf Course at an estimated cost of \$210,000.00 and that the Finance Committee recommend the method of financing.

The Finance Committee recommends that this project be financed from the Reserve for Capital Projects, Unspecified, Account No. 0280-27 as provided for in the 1981-85 Capital Budget Project E30613.

4. City Council, at its meeting held October 27, 1981, in adopting Section 3 of the Twentieth Report of the Finance Committee, approved of the financing of a Long Term Disability Plan effective November 1, 1981 at an estimated cost of \$35,000.00 for the months of November and December, 1981.

The Finance Committee recommends that the effective date be changed to December 1, 1981 and the amount to be financed from the Contingency Account be reduced accordingly from \$35,000.00 to \$17,500.00 , approximately, for 1981.

5. That the 1981 departmental appropriations for Rental Car Pool be increased to cover anticipated expenditures to year-end, for the following departments:-

0322-0281 - Clerk - Licence	2,890
0326-0281 - Purchasing	1,940
0341-0481 - Fire Prevention	1,500
0345-0181 - Traffic - Administration	6,410
0345-6081 - Traffic - By-law Enforcement	19,660
0353-0181 - Cemeteries	3,570
0367-0181 - Recreation	1,170
	<u>37,140</u>

and that the total estimated additional requirement in the amount of \$37,140.00 be financed by a transfer from the Contingency Account.

6. Approval of the awarding of the following contract:-

HONEYWELL LTD., Hamilton, Ontario.

Servicing & Maintenance of Electrical Controls for the year 1982 at various City owned buildings for the total sum of\$34,896.00

7. Approval of the settlement of a claim in accordance with the following:-

Hall and City of Hamilton vs Leet, date of accident March 17, 1979. That this claim be settled in the amount of \$636.38 inclusive of costs, and,

That in accordance with the authority granted under The Workmen's Compensation Act, R.S.O. 1970, Chapter 505, Section 8(4), the Finance Committee recommends payment of the sum of \$400.00 to Oswald Hall, being the balance after deduction of the City's expenses of the damages recovered as a result of injuries suffered by Mr. Hall in a motor vehicle accident on March 17, 1979. The Workmen's Compensation Act provides that in the event of a recurrence, the above mentioned sum of \$400.00 will be deducted from the amount of any further compensation or other benefits to which Mr. Hall may become entitled to with respect to this accident.

8. That the City of Hamilton participate in an intervention in the application by Union Gas Limited to The Ontario Energy Board, dated October 5, 1981, in which it is proposed that residential rates be increased by approximately 8% no later than April 1, 1982 based on a financial forecast for the 1983 fiscal year ending March 31 before Union has considered the anticipated price increases for gas resulting from additional Federal taxes to be levied February 1 and August 1, 1982 by exercising the following options:-

- (a) Combine forces with Ontario school boards instigating their own intervention, and
- (b) Contact The Consumers Association of Canada requesting this Association to intervene on behalf of the City of Hamilton, other Ontario municipalities and possibly some Ontario school boards willing to participate on a shared cost basis.

It is further recommended that the Regional Municipality of Hamilton-Wentworth be requested to join with the City of Hamilton in this intervention on the basis of (a) and (b) above.

9. That leave be granted to introduce the following bill:-

- (i) Bill A-14 - By-law to Amend By-law No. 71-69 Respecting:
 - 1. Revised Realty Tax Instalment Payment Dates and Discount Rate.
 - 2. Revised Business Tax Second Instalment Payment Date.

RESPECTFULLY SUBMITTED,

ALDERMAN P. O. VALERIANO,
CHAIRMAN.

R. M. Collier, Secretary,
November 5, 1981.

REPORT OF THE LEGISLATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its EIGHTEENTH Report and respectfully recommends:

1. That a civic breakfast be provided to the Hamilton Hurricane Football Club (Eastern Junior Football Champions) and the Western Junior Football Champions prior to the Junior Football Championship Final to be played at Ivor Wynne Stadium on Saturday, November 14, 1981 and further that bus transportation be provided to the Western Champions to transport them from their hotel to Ivor Wynne Stadium for their practise and the game. Estimated attendance, 130 people. Estimated cost, \$1,000.00.

2. That leave be granted to introduce the following bill.

Bill B-39 - By-law to confirm proceedings of the Council of the Corporation of the City of Hamilton.

Respectfully submitted,

Alderman J. MacDonald, Chairman

S.G. Hollowell, Secretary
Typed by S.M. Albano
November 4, 1981.

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its TWENTY-SEVENTH Report for 1981 and respectfully recommends:

1. Approval of the acquisition of the property at 172 Belview Avenue from Thomas Openshaw and Patricia Openshaw, for the sum of \$22,000.00. Option to be accepted on or before November 13th, 1981. Cash on closing of sale, which shall be on or before December 15th, 1981.

This property is required for parks purposes in the Crown Point West neighbourhood. Sufficient funds are available in account no. 0408-C16086, to provide for this acquisition.

2. Approval of the acquisition of the property at 257 Fairfield Avenue North from Ruta Tuklers for the sum of \$65,000.00. Option to be accepted on or before November 27th, 1981. Cash on closing of sale which shall be on or before March 3rd, 1982.

This property is required for parks purposes in the Homeside Neighbourhood. Sufficient funds are available in account no. 0408-C16096, to provide for this acquisition.

3. (a) That the City proceed with the installation of an irrigation system at the Chedoke Beddoe Civic Golf Course at a total estimated cost of \$210,000.00. as provided for, as project E 30613 in the 1981-1985 Capital Budget.
(b) That the Finance Committee be requested to recommend the method of financing this expenditure.
4. (a) That the city agree to fund up to \$5,000.00 or 25% (whichever is the lesser) of the cost of a feasibility study to determine what commercial and/or public uses might be accommodated in the former main library building, Main Street West, and the cost involved in refurbishing this structure to accommodate these uses.

This study to be completed within six (6) months.

- (b) That the Finance Committee be requested to recommend the method of financing this expenditure.

5. That the following categorization of special events, as they pertain to the Sunset Clause Policy, be adopted.

CATEGORY #1 Events that should be contained in Other Civic Budgets

- (a) Gage Park Flower Show - to be incorporated within the Parks Division's budget.
- (b) Canusa Games - to be incorporated within the Department of Culture and Recreation's budget, but to continue to be administered by an independent committee.
- (c) Mini-Olympics - to be incorporated within the Department of Culture and Recreation's budget.

CATEGORY #2 Events which are "Traditional" in Nature and are Civic Sponsored in Other Canadian Communities

- (a) May 24th Celebrations.
- (b) July 1 Concert and Canada Week.
- (c) Senior Citizens Day.
- (d) Christmas and New Year's Celebrations.

It is recommended that funding for these events remain with the Special Events Committee and that the increase in annual apportionments not exceed the annual inflation rate.

CATEGORY #3 Events which Originated in Hamilton and cannot develop further without Additional Funding

- (a) Festival of Friends.
- (b) Its Your Day.
- (c) Spec-Molson Tournament.
- (d) Winterfest.

It is recommended that any future enhancements of these events be dependent upon the organizers finding alternative funding. It is further recommended that the annual appropriations for these events not exceed the amount of the 1981 appropriation.

CATEGORY #4 Events that Organizers Could Seek Alternative Methods of Funding from the Community or from the Provincial/Federal Governments

- (a) International Air Show.
- (b) Harvest Trek
- (c) Festitalia.
- (d) Y.M.C.A. Marathon.
- (e) Round-the-Bay Road Race.
- (f) Horse Shoe Pitching.

It is recommended that civic sponsorship of these events be reduced by a minimum of 1/5 of the 1981 appropriation in each of the next five years, and that no appropriation be made for these events following that period.

CATEGORY #5 Some events are designed as singular occasions and should not impact the Sepecial Events Budget in subsequent years.

- (a) Hamilton Hunt Club.
- (b) Mardi Gras.
- (c) Badminton Association.

After initial start-up costs, events of this nature should become self-sustaining by charging admission fees, etc.

Respectfully submitted,

Alderman Ian Stout
Acting Chairman
Parks and Recreation Committee

J. J. Schatz, Secretary
October 29th, 1981

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of The Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its TWENTYFIFTH Report and respectfully recommends:-

1. That approval be given to Zoning Application 81-37, Joseph Finocchio, prospective owner, to establish a change in zoning and modification to the zoning regulations with respect to property located at the south-east corner of Robinson and Park Streets, as shown on the attached plan marked as APPENDIX "A" on the following basis:
 - i) That part of the subject land designated as Block 1 be rezoned from "E" (Multiple Dwellings, Lodges, Clubs, etc.) District to "C" (Urban Protected Residential, etc.) District.
 - ii) That the "C" District provisions as contained in Section 9 of By-law No.6593 applicable to the lands described as Block 1, be modified as follows:
 - a) that notwithstanding the provisions of Section 9(1) of By-law No.6593 only the Royal Hamilton Military Institute use, and including an ancillary museum use, shall be permitted within the building established at the date of passing of the by-law;
 - b) that notwithstanding the provisions of Section 9(3)(ii) of By-law No.6593, no side yard shall be required along the easterly zone line;
 - c) that notwithstanding the provisions of Section 18(3)(iv)(e) of By-law No.6593 on-site parking shall not be required;
 - iii) That the "E" District provisions as contained in Section 11 of By-law No.6593 applicable to the lands described as Block 2, be modified as follows:
 - a) that notwithstanding the provisions of Section 11(4)(5) of By-law No.6593, the maximum permitted gross floor area shall be 4,298 m² (46,260 sq. ft.);
 - b) that notwithstanding the provisions of Section 11(3)(ii)(b) of By-law No.6593, no side yard shall be required along the westerly zone line;
 - c) that notwithstanding the provisions of Section 11(2)(ii) of By-law No.6593, the maximum building height shall be eleven storeys.
 - iv) That the amending by-law be added to Section 19(b) of the zoning by-law as Schedule S-776, and that the subject land on Zoning District Map W-5 be notated S-776.

- v) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No.6593 and Zoning District Map W-5, and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk.
- vi) That the Durand Neighbourhood Plan be amended accordingly.
- vii) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note

The by-law will provide for the following:

- a) A change in zoning from "E" (Multiple Dwellings, Lodges, Clubs, etc.) District to "C" (Urban Protected Residential, etc.) District to permit only the existing Royal Hamilton Military Institute use, including an ancillary museum use, within the building established at the date of passing of the by-law, on lands described as Block 1 on Zoning District Map W-5.

The "C" District provisions applicable to Block 1 also contain by-law variances to permit no side yard along the easterly zone boundary, and to exempt the Royal Hamilton Military Institute and the ancillary museum use from the requirement of having to provide off-street parking.

- b) A modification to the established "E" (Multiple Dwellings, Lodges, Clubs, etc.) District to permit an 11-storey 21-unit apartment building on lands described as Block 2 on Zoning District Map W-5 together with by-law variances to permit the transfer of permitted gross floor area from Block 1 to Block 2, and to permit no side yard along the westerly zone boundary, and increase the height of the building from eight to eleven storeys.

By permitting the transfer of gross floor area, it will be possible to preserve the building accommodating the Military Institute while also fully developing the lands for apartment purposes.

- 2. That approval be given to City Initiative 81-AA to establish a modification to the established "AA" (Agricultural) District regulations with respect to property located at the north-east corner of Limeridge Road and Upper Wentworth Street, as shown on the attached plan marked as APPENDIX "B" on the following basis:

- i) That pursuant to the provisions of Section 35(29) of The Planning Act, the subject land may be used for the parking of motor vehicles for a further period not exceeding two years.
- ii) That the amending by-law be added to Section 19(b) of The Zoning By-law as Schedule S-675a and that the subject land on Zoning District Map E-27A be notated S-675a.
- iii) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No.6593 and Zoning District Map E-27A.
- iv) That the proposed change in zoning is in conformity with the

Official Plan for the Hamilton Planning Area.

Explanatory Note

The by-law will provide for a modification to the "AA" (Agricultural) District regulations applicable to property located at the north-east corner of Limeridge Road and Upper Wentworth Street, as shown on Zoning District Map E-27A, to permit the lands to be used for parking purposes on a temporary basis.

3. That approval be given to draft Official Plan Amendment No.370 to establish a change in land use designation from "Residential" to "Commercial" and from "Residential" to "Recreation, Civic and Cultural" for certain lands within the Ryckman Multi-Centre, and that the City Solicitor be directed to prepare a by-law to adopt this Official Plan Amendment for submission to the Ministry of Municipal Affairs and Housing.

Explanatory Note

The amendment will provide for changes in land use designation partially to implement the Ryckman Multi-Centre Plan approved by Council on July 28, 1981.

4. That Item 2(b) of the 20th Report of the Planning and Development Committee for 1981 with respect to Zoning Application 81-40 for properties at Nos.81 to 89 Cannon Street West be rescinded.

Explanatory Note

Item 2(b) requires the owner to enter into and register an agreement with the Region respecting the dedication of 3 m (9.84 ft.) of land for future road widening purposes as a condition of the rezoning proposal. The proposed zoning allows only the use of the existing buildings; if any redevelopment of the buildings is required in the future, a further rezoning application will be required and the condition may be re-applied.

5. That By-law No.81-196 which re-zoned properties at Nos.102 Park Street North and 60 Vine Street from "L-c" to "H" and By-law No.81-197 which established Site Plan Control for the subject properties, be repealed inasmuch as the application for re-zoning has been withdrawn.
6. (a) That the '+15' Pedestrian System concept be applied to the area around Lloyd D. Jackson Square as shown on the attached plan marked APPENDIX "C"
- (b) That the '+15' concept be as follows:

New development proposed in the '+15' area as shown on APPENDIX "C" must include provision for walkways, plazas and interior links on the second level in order to provide a continuous pedestrian walkway system above street level.

- (c) That the City's Site Plan Control By-law 79-275 be amended to include those areas zoned "I" and "J" around Lloyd D. Jackson Square as shown on APPENDIX "D" attached.

- (d) That an official plan policy, to be included by Minister's modification, incorporating the '+15' concept plan, and design guidelines, be submitted to the Minister of Municipal Affairs and Housing for approval. The official plan Minister's modification proposed is as follows:

Section 2.9.3.10

Further to policy A.2.8.7(i), Council will require provision for an elevated pedestrian walkway system ('+15') emanating from Lloyd D. Jackson Square, connecting adjacent future development with the Square. To implement the pedestrian system, it is the intent of Council that:

- i) Links in the system will be constructed when new development occurs to the north, south and west of Lloyd D. Jackson Square, as shown on Schedule B-1 (to be attached to the Minister's modification). The system will be integrated with the transit system.
 - ii) Site Plan Control will be employed to implement the '+15' pedestrian system for any development or redevelopment to which the system is intended to connect. Provisions will be made for allowances in building design to facilitate the walkways at upper levels and to ensure the integration of the system with ground level pedestrian walkways. Appropriate landscaping measures and other amenity features will also be incorporated.
 - iii) The nature of the '+15' pedestrian system will be determined by design guidelines specifying matters to be considered in implementing the system.
 - iv) The City will enter into any agreements, where deemed appropriate, with development or redevelopment proponents to realize the above guidelines.
- (e) That the Development Agreement negotiated for developments within the '+15' area be based on design guidelines for the walkway link provisions, arcades and plazas. The guidelines will be adopted by the Planning and Development Committee.

Explanatory Note

For the information of Council, '+15' refers to plazas, arcades, walkways and links through buildings one level above the street. It is proposed that the existing '+15' nucleus at Lloyd D. Jackson Square be expanded to the north, south and west as new development occurs in those areas, so that a continuous upper level pedestrian system is available.

7. That the Building Commissioner be authorized to issue Demolition Permits for the demolition of residential buildings as outlined below for which application has been processed through the Building Department and the Planning and Development Committee:

164 and 166 Hunter Street West

1333 Upper James Street

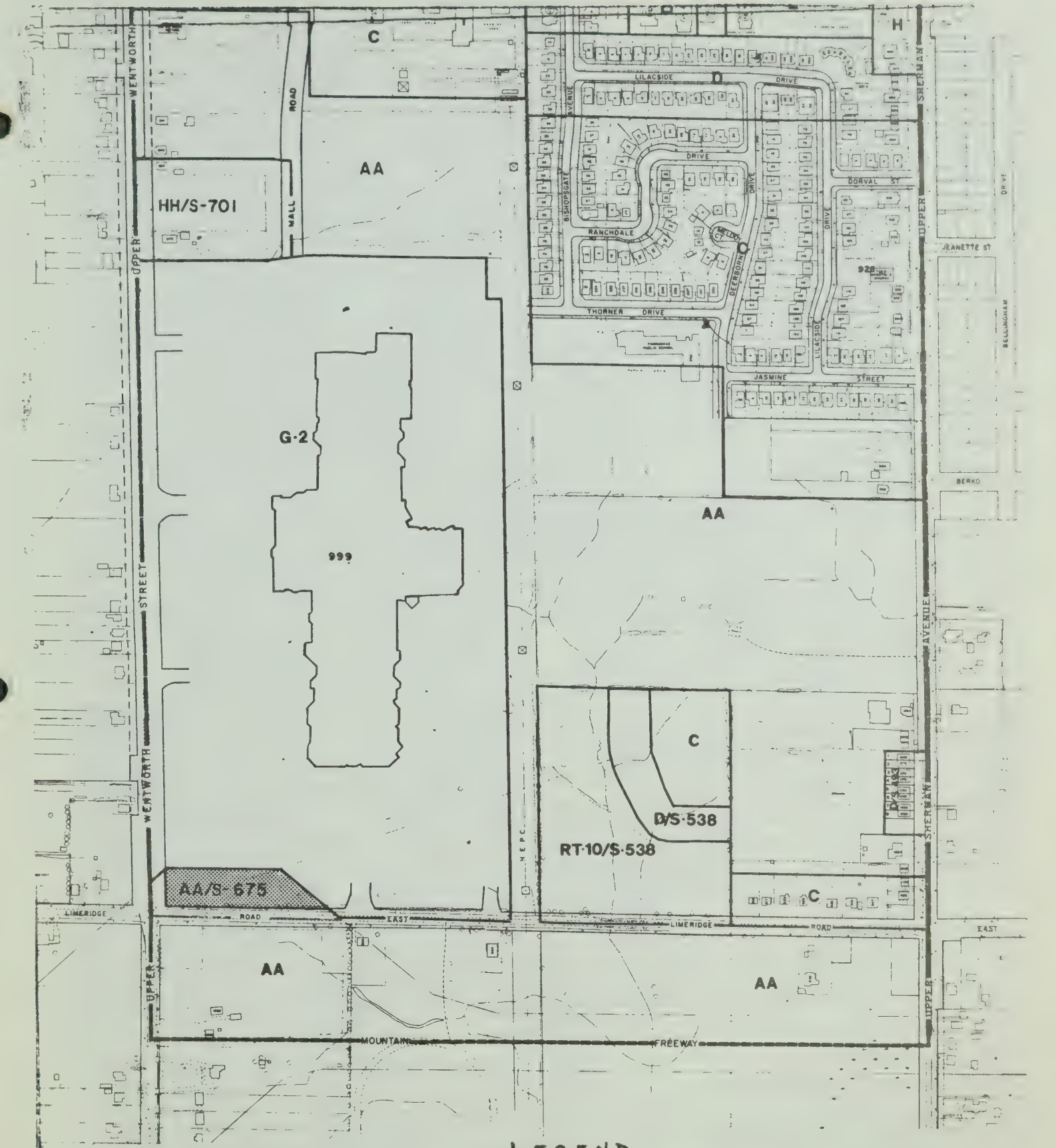
431 Bay Street North

8. That the City Solicitor be authorized to prepare a Quit Claim Deed from the City of Hamilton to the present owners of 1320 Stone Church Road East, Mil-Bru Properties Limited, to release the property from the construction covenants to the City as contained in Deed Number 11529 C.D.
9. That leave be granted to introduce the following Bills:
 - (a) Bill D-148 - Zoning By-law respecting land located at Municipal No.1036 Upper Wentworth Street
 - (b) Bill D-149 - Zoning By-law respecting land abutting the westerly Property Line of the Property at Municipal No.54 McAnulty Boulevard
 - (c) Bill D-150 - Zoning By-law to repeal Zoning By-law No.81-201 respecting land located at Municipal No.481 West 5th Street
 - (d) Bill D-151 - Zoning By-law respecting Air Conditioners and Heat Pumps
 - (e) Bill D-152 - Zoning By-law respecting land located at Municipal No.39 Stanley Avenue

Respectfully submitted

JDT:bg
October 28, 1981

Alderman W. M. McCulloch
Chairman



LEGEND.

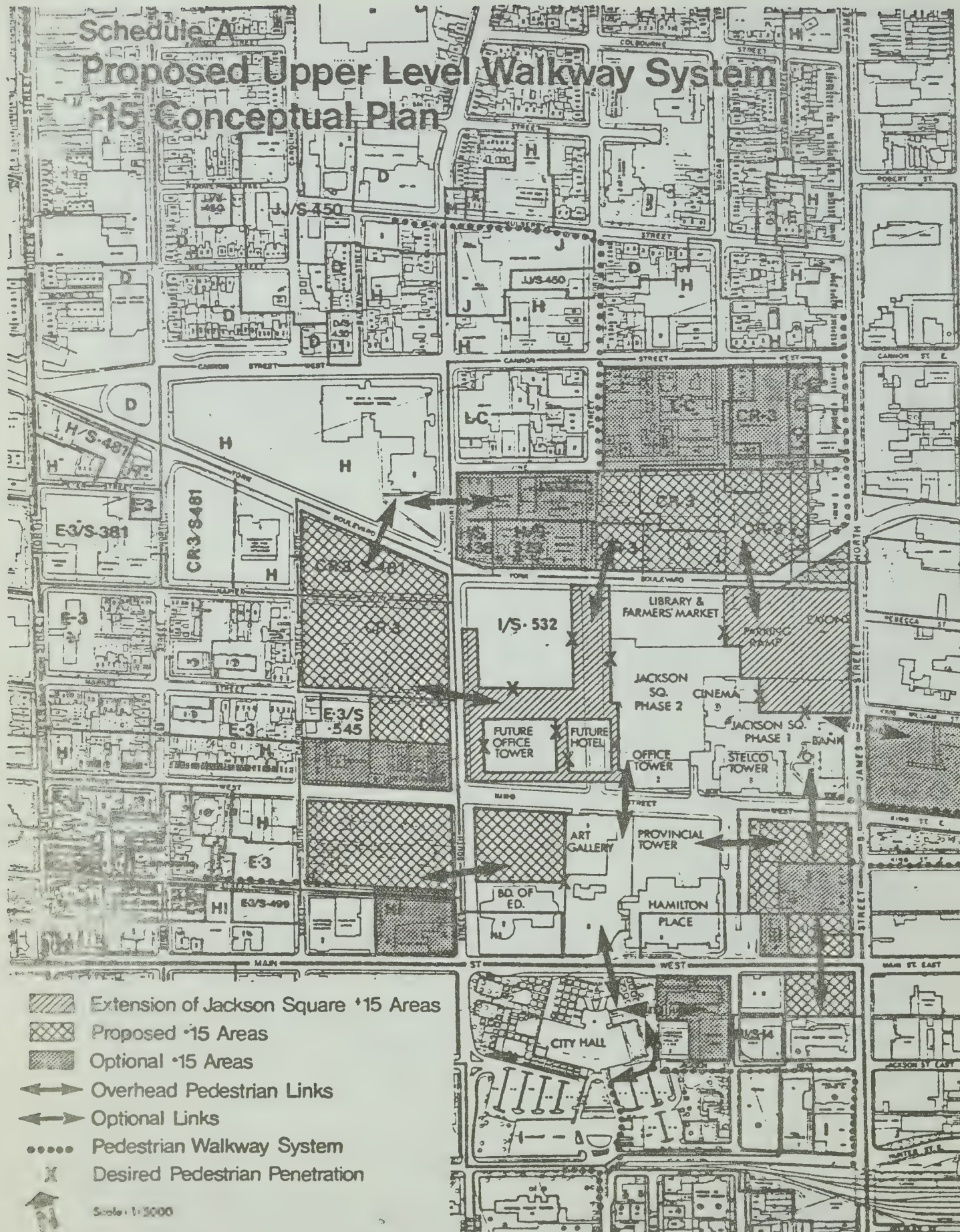


SITE OF THE APPLICATION



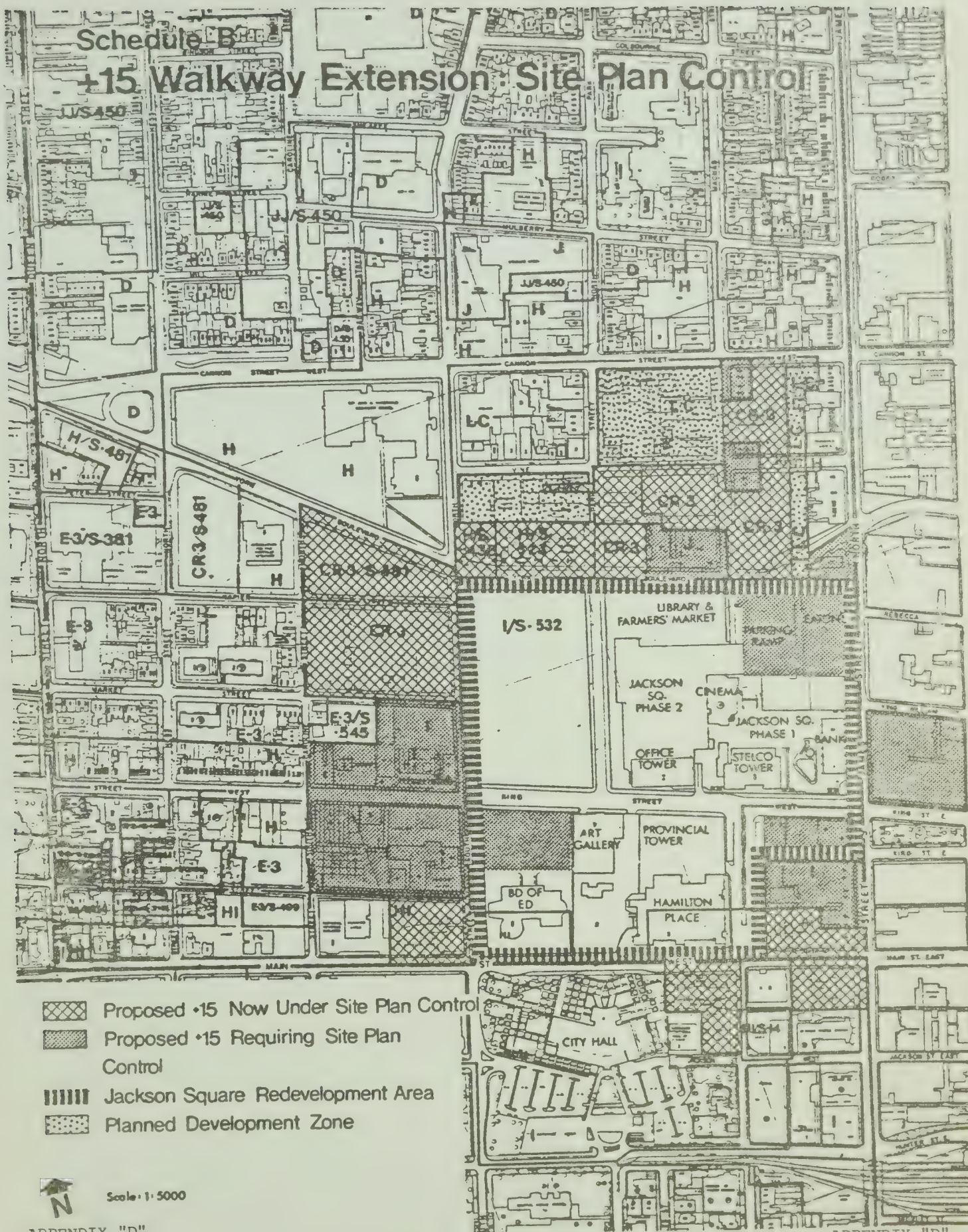
Schedule A





Proposed Upper Level Walkway System #15 Conceptual Plan



Schedule B

+15 Walkway Extension Site Plan Control



-  Proposed +15 Now Under Site Plan Control
-  Proposed +15 Requiring Site Plan Control
-  Jackson Square Redevelopment Area
-  Planned Development Zone



Scale: 1:5000

APPENDIX "D"

REPORT OF THE TRANSPORT & ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport & Environment Committee presents its TWENTIETH Report for 1981 and respectfully recommends:

AIRPORT

1. That Council endorse a proposal that Transport Canada hire consultants to study alternative methods of providing the Crash/Fire Protection Services at the Hamilton Civic Airport.

NOTE: It is understood that once the consultants' recommendation has been made, the Transport & Environment Committee will meet with representatives from Transport Canada to review and endorse same.

TRAFFIC

2. That Schedule 10 (Stops at Intersections) of By-law 66-100 To Regulate Traffic be further amended by adding thereto the following items, namely:

"Keith	Westbound	Emerald
Burton	Eastbound and Westbound	Cheever
Franklin	Eastbound and Westbound	East 24th
Franklin	Eastbound and Westbound	Easterly intersection of Franklin and East 27th".

and by deleting therefrom the following item, namely:

"Franklin Eastbound and Westbound East 25th".

3. That Schedule 24 (Parking Meter Locations) be amended by adding to Section 2 (Two Hour Limit) the following item, namely:

"Hunter North Bay to Caroline".

4. That Schedule 26 (No Parking Areas) be amended by deleting from Section A (No Parking Anytime) the following items, namely:

"Oak	East	Barton to 185 feet south
Oak	West	85 feet south of Barton to 100 feet southerly
Tecumseh	South	Westerly end to 31 feet easterly".

and by adding thereto the following items, namely:

"Oak	East	Barton to a point 161 feet southerly therefrom
Cromwell	South and West	Greenford to the northerly intersection of Cromwell and Owen Place".

5. That Schedule 26A (No Parking Areas) be amended by adding to Section F (No Parking 8:00 A.M. - 4:00 P.M.) the following item, namely:

"Cromwell	North and East	Greenford to the northerly intersection of Cromwell and Owen Place".
-----------	----------------	--

6. That Schedule 27 (Alternate Side Parking) be amended by deleting therefrom the following item, namely:

"Cromwell Cr.	South, West	North, East
End to End	and North	and South".

and by adding thereto the following items, namely:

"Cromwell Cr.		
Owen Place to		
Owen Place		
East 14th	East	West".
Brucedale to		
Queensdale		

7. That Schedule 29 (No Stopping Areas) be amended by adding to Section A (No Stopping Anytime) the following items, namely:

"Balsam	West	King to a point 51 feet southerly therefrom
Balsam	East	King to a point 40 feet southerly therefrom
Maplewood	South	Lorne to a point 53 feet westerly therefrom
King William	North	Ashley to a point 47 feet easterly therefrom".

8. That the report of the Hamilton-Wentworth Regional Police Department dated October 8, 1981, be approved, and that a School Traffic Officer be assigned to Cumberland Avenue in front of Ecole Notre-Dame School during the morning and evening hours.

9. That the report of the Hamilton-Wentworth Regional Police Department dated September 21, 1981, be approved, and that a School Traffic Officer not be assigned to the intersection of Mall Road and Mohawk Road.

10. That no action be taken on the request for four-way stop control at the intersections of Paisley Avenue and South Oval, and Paisley Avenue and Barclay Street.

11. That the application of Swire Enterprises Limited to lease a portion of the boulevard of Paisley Avenue North, adjacent to No. 1024 King Street West for parking purposes be approved during the pleasure of City Council provided:
 - (i) That the owner complies with the requirements as set out in the policy respecting using a portion of the road allowance for parking purposes.

(ii) That the approach and parking area be constructed in accordance with the submitted plan at the owner's expense.

(iii) That the owner prepares and executes an agreement, satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

(iv) That the applicant pay the annual fee as established by City Council plus taxes, in addition to the \$25.00 annual fee to be charged to the applicant for encroachment insurance.

PURCHASING

12. That the report of the Director of Purchases respecting the following be approved:

(i) Equipment Rental for Winter Maintenance for snow plows and graders in accordance with specifications issued by the Director of Purchases and Vendor's Tender as follows:

(a) GENSTAR STONE PRODUCTS INC., Oakville, Ontario

Grader Only & Operator - 2 Vehicles at \$52.00 per hour

(b) J. VANDERKAMP CONTRACTORS LTD., Millgrove, Ontario.

Grader Only & Operator - 1 Vehicle at \$37.50 per hour

(c) DANBILL EQUIPMENT RENTALS LTD., Hamilton, Ontario

Grader Mounted Snow Plow & Wing & Operator - 1 Vehicle at \$48.00 per hour

Grader Only & Operator - 4 Vehicles at \$36.00 per hour

(d) DIGIT CONTRACTORS LTD., Hamilton, Ontario.

Grader Only & Operator - 3 Vehicles at \$35.00 per hour

(e) G. F. MASON EXCAVATING CO., Fruitland, Ontario.

Grader Mounted Snow Plow & Wing & Operator - 1 Vehicle at \$40.00 per hour

Grader Only & Operator - 1 Vehicle at \$38.00 per hour

(f) R. M. HOSKIN GRADING, Hagersville, Ontario

Grader Only & Operator - 1 Vehicle at \$36.00 per hour

(g) WM. GROVES LTD., Hamilton, Ontario

Grader Only & Operator - 1 Vehicle at \$41.00 per hour

(h) DELMAR CONTRACTING LTD., Stoney Creek, Ontario

Grader Only & Operator - 3 Vehicles at \$46.00 per hour

(i) E. & W. EQUIPMENT RENTAL LTD., Hamilton, Ontario

Grader Only & Operator - 1 Vehicle at \$49.31 per hour

NOTE: The above recommendations for Equipment Rental for Winter Maintenance cover all of the acceptable tenders received.

(ii) Equipment Rental for Winter Maintenance of Trucks & Loaders, in Accordance with specifications issued by the Director of Purchases and Vendor's Tenders as follows:

(a) J. VANDERKAMP CONTRACTORS LTD., Millgrove, Ontario

Rubber Tired Loader & Operator - 1 Vehicle at \$32.00 per hour

(b) DANBILL EQUIPMENT RENTAL LTD., Hamilton, Ontario

Rubber Tired Loader & Operator - 1 Vehicle at \$34.00 per hour

(c) NICK ROMA CONCRETE, Hamilton, Ontario

Rubber Tired Loader & Operator - 1 Vehicle at \$32.00 per hour

(d) MCLEOD ENGINEERING INC., Stoney Creek, Ontario

Rubber Tired Loader & Operator - 1 Vehicle at \$32.00 per hour

(e) GENERAL PAVING & CONCRETE, Hamilton, Ontario

Rubber Tired Loader & Operator - 1 Vehicle at \$30.00 per hour

(f) PASINATO HAULAGE INC., Hamilton, Ontario.

Rubber Tired Loader & Operator - 4 Vehicles at \$32.00 per hour

(g) WOYTKIW HAULAGE LTD., Hamilton, Ontario

Rubber Tired Loader & Operator - 1 Vehicle at \$32.00 per hour

(h) GERALD CONNELLY, Hamilton, Ontario

Tandem Dump Truck & Operator - 1 Vehicle at \$26.50 per hour.

(i) DIGIT CONTRACTORS LTD., Hamilton, Ontario

Rubber Tired Loader & Operator - 2 Vehicles at \$32.00 per hour

- (j) J. C. T. HAULAGE, Stoney Creek, Ontario
Tandem Dump Truck & Operator - 3 Vehicles, at \$24.50 per hour
- (k) MOUNTSBERG EXCAVATING, Dundas, Ontario
Rubber Tired Loader & Operator - 1 Vehicle at \$35.00 per hour
- (l) BILL WILCOCKSON TRENCHING, Hamilton, Ontario
Rubber Tired Loader & Operator - 1 Vehicle at \$30.00 per hour
- (m) JACK WILCOCKSON, SEWER CONTRACTOR, Hamilton, Ontario
Rubber Tired Loader & Operator - 1 Vehicle at \$32.00 per hour
- (n) D. WORKMAN BACKHOE SERVICE, Hamilton, Ontario
Rubber Tired Loader & Operator - 1 Vehicle at \$28.00 per hour
- (o) J & R TRUCKING, Binbrook, Ontario
Tandem Dump Truck & Operator - 5 Vehicles at \$26.00 per hour
- (p) JIM BREEN TRUCKING, Hamilton, Ontario
Tandem Dump Truck & Operator - 15 Vehicles at \$24.50 per hour
- (q) WM. GROVES LTD., Hamilton, Ontario
Rubber Tired Loader & Operator - 3 Vehicles at \$41.00 per hour
- (r) DELMAR CONTRACTING LTD., Stoney Creek, Ontario
Rubber Tired Loader & Operator - 3 Vehicles at \$49.00 per hour
- (s) CARDI CONSTRUCTION LTD., Hamilton, Ontario
Tandem Dump Truck & Operator - 3 Vehicles at \$26.50 per hour
Rubber Tired Loader & Operator - 5 Vehicles at \$34.00 per hour
- (t) G. MARCHESE, Hamilton, Ontario
Tandem Dump Truck & Operator - 2 Vehicles at \$25.50 per hour

(u) NELSON EXCAVATING, Hamilton, Ontario

Rubber Tired Loader & Operator - 3 Vehicles at \$36.00 per hour

(v) E & W EQUIPMENT RENTAL, Hamilton, Ontario

Rubber Tired Loader & Operator - 1 Vehicle at \$54.30 per hour

(w) TONI J. GERRITSEN, Millgrove, Ontario

Tandem Dump Truck & Operator - 7 Vehicles at \$24.50 per hour

(x) ANDERSON HAULAGE, Mount Hope, Ontario

Tandem Dump Truck & Operator - 1 Vehicle at \$25.95 per hour

(y) ONTARIO HAULERS ASSOC., Downsview, Ontario

Tandem Dump Truck & Operator - 72 Vehicles at \$26.50 per hour

(z) ANCASTER SEWER CONTRACTOR, Hamilton, Ontario

Rubber Tired Loader & Operator - 1 Vehicle at \$32.00 per hour

NOTE: The above recommendations for Equipment Rental for Winter Maintenance cover all of the acceptable tenders received.

(iii) ANCASTER ALUMINUM PRODUCTS LTD., Ancaster Ontario.

Supply & Install 10 Bus Shelters \$12,070.00
Ontario Sales Tax Exempt

NOTE: Only supplier

REAL ESTATE

13. That the sale by the City to The Ukrainian Catholic Episcopal Corporation of Eastern Canada of the surplus City lands abutting Mall Road consisting of 5,810.4 square feet for the sum of \$10,506.00 be completed and that the City Treasurer be directed to withhold the proceeds from the sale of this land until such time as the City's costs associated with this sale have been determined and deducted from said proceeds.

NOTE: A certified deposit cheque in the amount of \$3,000.00 is on deposit with the Treasury Department.

CITY ENGINEERING

14. That the City Solicitor be directed to proceed with the preparation of a By-law to widen and extend Skylark Drive by incorporating therein Block 19, Plan M-305

NOTE: The registration of Cardinal Heights Addition No. 4 (Phase 3) has developed lands to the west of Block 19 and has extended Skylark Drive northerly making the retention of this reserve no longer necessary.

15. That the City Solicitor be directed to proceed with the preparation of a By-law to widen and extend Napoli Drive by incorporating therein 1' reserve Block 'AX', Plan M-236.

NOTE: Napoli Drive has recently been extended southerly by the registration of Almas Gardens (Phase 2) Plan M-309 making the retention of this 1' reserve no longer necessary.

16. That the City Solicitor be directed to proceed with the preparation of a By-law to widen Elmore Drive by incorporating therein part of Block 'F', Plan M-279.

NOTE: Lands on the north side of Elmore Drive have been developed as Eleanor Gardens (Phase 4), Plan M-312. Since all development charges on Elmore Drive were covered under the subdivision agreement, part of Block 'F' should be incorporated into the street limits to provide legal access.

17. That the City Solicitor be directed to proceed with the preparation of a By-law to extend Guildwood Drive by incorporating therein 1' reserve Block 'CX', Plan M-228.

NOTE: Guildwood Drive has been extended westerly by the recent registration of Almas Gardens (Phase 2), Plan M-309, making the retention of this 1' reserve no longer necessary.

REGIONAL ENGINEERING

18. That the application of Mr. Reno Violin, Solicitor for the estate of Mr. Diego Rallo, owner of 226 and 228 Hughson Street North, for permission to enter into encroachment agreements with the City to encroach onto the road allowance of Hughson Street North at No. 226 by a maximum of 0.23 metres (0.74 feet) for an approximate distance of 4.99 metres (16.37 feet) and at No. 228 by a maximum of 0.23 metres (0.74 feet) for an approximate distance of 4.63 metres (15.20 feet) for the purpose of maintaining existing porches be approved provided that

- 1) The owner enter into separate encroachment agreements satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
- 2) That an annual fee of \$10 for each agreement be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution, in addition to the \$25 annual fee for each agreement to be charged to the owner for encroachment insurance.

19. Whereas the City is in receipt of an application by the Labourer's International Union of North America Local 837 to close the north-south portion of the alley between West Avenue and Victoria Avenue and extending from King William Street to 44.29 metres (145.30 feet) southerly, and whereas Civic Departments have indicated no objection to the closing, it is therefore recommended:
- 1) That the City Solicitor be authorized to make application to the County Court Judge under Section 82 of the Registry Act, R.S.O. 1980, for an order to close an alley a distance of 44.29 metres (145.30 ft.) extending southerly from King William Street between West Avenue and Victoria Avenue pursuant to Section 298 of the Municipal Act R.S.O. 1980, said application to be made only after the applicant has complied with Clauses 4, 5, and 6 of this recommendation;
 - 2) That the City Solicitor be authorized to prepare and register the necessary deeds in favour of the abutting owners under Section 57 of the Surveys Act, R.S.O. 1980;
 - 3) That the Regional Commissioner of Engineering be authorized to sign an affidavit setting out that no public funds have been expended on the portion of alley to be closed;
 - 4) That documentation regarding the application to the County Court Judge be prepared by the applicant, to the satisfaction of the City Solicitor and that the applicant be responsible for all fees payable in County Court;
 - 5) That the applicant registered a reference plan under the Registry Act, said plan to be prepared by an Ontario Land Surveyor, to the satisfaction of the City Surveyor and to delineate the manner in which the closed portion is to be distributed among the abutting owners and that the applicant deposit a reproducible copy of said plan with the City Surveyor.
 - 6) That the applicant make satisfactory arrangements with Bell Canada, Union Gas, and Hamilton Hydro to relocate their respective underground and aerial plant at the expense of the applicant;
 - 7) That the Regional Commissioner of Engineering be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval of the proposed closing under Section 51 of Bill 155.
20. Whereas a paving agreement was entered into by the City of Hamilton and Mr. B. Brett, owner of 160 Market Street, registered on 77 08 30 as Instrument No. 61212 L.T. and whereas an agreement is no longer required, due to a change in the streets by-law, it is recommended:
- 1) That the City Solicitor be directed to prepare a discharge of the Agreement;
 - 2) That the Mayor and City Clerk be authorized to execute the discharge.

21. Whereas the extension of Highway #403 from Ancaster to Brantford is an important part of the Provincial highway system servicing the Region of Hamilton-Wentworth and the City of Hamilton and whereas Highway #403 is of high priority to this Region along with the proposed Perimeter Industrial Road which is an integral part of this transportation system, it is therefore recommended:

- 1) That the Ministry of Transportation and Communications pursue the Type II Environmental Assessment Approval and the construction of Highway #403 from Ancaster to Brantford as quickly as possible.
- 2) That the Mayor forward this resolution to the Minister of Transportation and Communications and to the Mayor of the City of Brantford.

BY-LAWS

22. That leave be granted to introduce the following Bills:

- i) Bill No. E93 - By-law to widen Caroline Street, East side, Napier Street to York Boulevard.
- ii) Bill No. E94 - By-law to authorize:
 - 1) The construction of local improvements without petition under Section 12 of The Local Improvement Act on Birge Street;
 - 2) The special assessment to pay a portion of the cost of the works by the abutting owners;
 - 3) The preparation of plans, specifications and reports and the supervision of the construction by the Regional Commissioner of Engineering.
- iii) Bill No. E95 - By-law to amend By-law 66-100 to regulate traffic.
- iv) Bill No. E96 - By-law to amend By-law 66-100 to regulate traffic.

Respectfully submitted

ALDERMAN F. LOMBARDO
CHAIRMAN

R. C. Prowse
Secretary
November 2, 1981

REPORT OF THE PERSONNEL COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Personnel Committee presents its FIFTEENTH Report for 1981 and respectfully recommends:

1. The adoption of the following recommendations by the Chief Administrative Officer with respect to the Administrative Re-organization Program:
 - a) That a position within the City Architects Department be deleted to create a new position of Director, City Property.
 - b) That City Property Functions namely; Engineering, Architects, Real Estate, Building and Community Development be re-organized under a Director, City Property.
 - c) In accordance with subsection(b), the job description of City Engineer and Coordinator Lloyd D. Jackson Square be amended by deleting the responsibilities of the City Engineer. The salary range for this position to remain at the current rate.
2. That the Commissioner of Finance produce the actuarial costing for Optional Retirement under the Type 3, O.M.E.R.S. Pension Plan for employees in the following categories:
 - a) Department Heads and Deputies
 - b) Non-Union Supervisory and Professional Personnel.

RESPECTFULLY SUBMITTED,

ALDERMAN P. DRAGE,
CHAIRMAN
PERSONNEL COMMITTEE

G.W. McMillan,
Secretary
October 30, 1981

MEETING OF CITY COUNCIL

NOVEMBER 24, 1981

A G E N D A

- A Finance Committee
- B Legislation Committee
- C Parks and Recreation Committee
- D Planning and Development Committee
- E Transport and Environment Committee
- F Personnel Committee
- J By-laws

REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:-

The Finance Committee presents its **TWENTY-THIRD** Report and respectfully recommends:-

1. That no action be taken on the request of the Canadian Ukrainian Opera Association, Toronto, Ontario, for a grant of \$5,000.00 to assist in the staging of an opera at Hamilton Place because this request does not meet the policy objective of the Finance Committee in awarding grants to outside bodies that, "funds will be provided to community groups, local organizations or individuals who provide services that warrant the City's support".
2. That the cost of the construction of the Recreation Centre, West Mountain Area - Sir Allan MacNab Secondary School, in the amount of \$1,780,000.00, as approved by City Council January 13, 1981, be increased by \$345,000.00 to \$2,125,000.00 and the City Solicitor be authorized and directed to make application to the Ontario Municipal Board for revising the gross cost of O.M.B. Order No. E80341, dated November 2, 1981, from \$1,780,000.00 to \$2,125,000.00, and increasing the present debenture authority of \$1,630,000.00 to \$1,975,000.00 for a term not to exceed twenty years.

It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth for consent to issue debentures in the additional amount of \$345,000.00 for a term not to exceed twenty years.

3. That the cost of the construction of a fire station in the east mountain area, Birchmount Road and Stone Church Road East, in the amount of \$600,000.00, approved by City Council May 26, 1981, be increased by \$130,000.00 to \$730,000.00 and the City Solicitor be authorized and directed to make application to the Ontario Municipal Board for revising the gross cost of O.M.B. Order No. E81695, dated October 2, 1981, from \$600,000.00 to \$730,000.00, and increasing the present debenture authority of \$600,000.00 to \$730,000.00 for a term not to exceed twenty years.

It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth for consent to issue debentures in the additional amount of \$130,000.00 for a term not to exceed twenty years.

4. That the Director of Real Estate be authorized to advertise the availability of the former Sherman Avenue Police Station at 168 Sherman Avenue North for purchase or lease for development, refurbishing or any combination thereof and that, if after sixty days there is no interest of substance, that:
 - (a) The building be demolished and,
 - (b) The Director of Real Estate be authorized to make application to the Planning and Development Committee for a change in zoning of the property to a G-3 (Municipal Parking) zoning and,

- (c) The lands be placed under the jurisdiction of the Parking Authority of the City of Hamilton for development, at their cost, as a municipal parking facility, with a view to profit sharing should the operation so warrant.

5. That leave be granted to introduce the following Bill:-

Bill A-16 By-law to Authorize the Construction of a Fire Station at Birchmount Road and Stone Church Road East.

RESPECTFULLY SUBMITTED,

ALDERMAN P. O. VALERIANO,
CHAIRMAN.

R. M. Collier, Secretary.
November 19, 1981.

REPORT OF THE LEGISLATION COMMITTEE

To the Council of The Corporation of The City of Hamilton.

Members of Council:

The Legislation Committee presents its Nineteenth Report and respectfully recommends:-

Grants and Civic Hospitality

1. That a grant in the amount of \$500.00 be made to the Viceroy Reading B'nai Brith Lodge No. 886 to be used to assist in defraying expenses in producing their 31st Annual Sports Celebrity Night to be held in the City of Hamilton on February 8, 1982.
2. Approval of the action of the Legislation Committee in providing a reception to the Hamilton Historical Board following the dedication of an Ontario Historical Foundation Plaque in Mountain Brow Park in honour of Horatio George Summers on October 28, 1981.
3. That a reception be provided at City Hall following the official presentation and dedication of the Dictionary of Hamilton Biography on December 4, 1981.

Civic Awards

4. That civic awards be made to the following:
 - a) Members of the Hamilton Ceasars Restaurant Touch Football Team who brought honours to the City of Hamilton in 1981 by winning the Senior Mens Touch Football Canadian Championship.

Hamilton Market

5. That Wednesday, December 23, 1981 be designated by City Council as a market day pursuant to Section 1, Sub-section (g) of By-law No. 81-180, "To Regulate the Hamilton Market".

City Hall Facilities

6. That the Womens Inter-Church Council of Hamilton be permitted to use the City Hall Council Chamber for their Annual World Day of Prayer service on Friday, March 5, 1982.
7. That the Hamilton Jewish Community Centre be permitted to erect an electric Menorah on the City Hall Council Chamber balcony during the period December 20 - 27, 1981.
8. That the offer of the Hamilton Philharmonic Orchestra to stage a free Christmas concert in the City Hall on Friday, December 18, 1981, be accepted.
9. That CHML Radio be permitted to locate their Christmas Tree of Hope on the City Hall Council Chamber balcony in December, 1981.

Resolutions

10. That the following resolutions be endorsed.

a) City of Thunder Bay

"That the Council of the City of Thunder Bay urge the Federal Government to take immediate action to reduce interest rates so that affordable housing can become available to a broader section of the Canadian population;

AND THAT this resolution be forwarded to all M.P.'s in North-western Ontario, to all cities in Ontario of a population of 50,000 or over, and to the Ontario Ministry of Municipal Affairs and Housing, and the Association of Municipalities of Ontario."

b) City of Windsor

"WHEREAS those involved in sharing revenues from bingo lottery functions have failed to meet the Provincial guidelines with respect to the limitations placed on administrative costs; and

WHEREAS as the result of high administrative costs most charities are required to expect a profit lower than the standards set by the Provincial guidelines;

THEREFORE BE IT RESOLVED that the Provincial Legislature BE REQUESTED to enact legislation to give municipalities the authority to licence and regulate persons who rent premises and other facilities to charities for the conduct of bingo lotteries;

AND BE IT FURTHER RESOLVED that other municipalities in the Province which sponsor lotteries and the local members of the legislature BE REQUESTED to support this resolution."

11. That no action be taken on the following resolutions.

a) Hamilton and District Labour Council

"WHEREAS the high interest policy of the Federal Government is crippling the economy, putting home ownership out of the reach of average Canadians, and throwing thousands of people out of work;

AND WHEREAS as homeowners are forced to renew our mortgages at outrageously high rates;

AND WHEREAS Canadians don't want temporary, stop-gap measures which ignore the deep and lasting damage caused by high interest rates;

THEREFORE BE IT RESOLVED that the Federal Government put an immediate 6 month freeze on mortgage renewals at existing rates so that no more Canadians are forced out of their homes;

BE IT FURTHER RESOLVED that the Federal Government immediately adopt a made-in-Canada interest rate policy that lowers interest rates to sane and reasonable levels.

AND BE IT FURTHER RESOLVED that the Federal Government move immediately to full public Control of National Banking System and credit system on profits, lending practises, and investment policies."

Note: For the information of the Members of City Council, the Legislation Committee is drafting a recommendation of its own respecting High Interest Rates which will be submitted at a future meeting of City Council.

b) Hamilton and District Labour Council

"That this Council request the Hamilton City Council endorse the November 21st Citizens demonstration in Ottawa protesting high interest rates.

That City Council take part in the demonstration providing both moral and financial support on behalf of this Community."

c) City of Cambridge

"THAT WHEREAS the single most important transaction for the average citizen is the purchase or selling of their residential property;

AND WHEREAS to assist these citizens every effort should be made to ensure their protection;

AND WHEREAS Ontario Real Estate Association's standard Offer to Purchase contains a clause, in small print, to ensure the payment of the Agent's commission;

NOW THEREFORE BE IT RESOLVED THAT the Agent Commission clause, in the Ontario Real Estate Association's standard Offer to Purchase, be amended to read as follows:-

'The Undersigned accepts the above Offer and agrees with the Agent above named in consideration for his services in procuring the said Offer and the completion of the transaction to pay him, on the date above fixed for completion, a commission of (In Writing... per cent) (In Figures.....%) of an amount equal to the above-mentioned sale price which commission may be deducted from the deposit';

AND FURTHER that the print used be enlarged for easier legibility;

AND FURTHER that this resolution be forwarded to the Minister of Consumer and Commercial Relations and all Ontario Municipalities with more than 50,000 population."

d) Township of West Nissouri

"WHEREAS, Ontario Hydro has been established to provide safe, efficient and economical electrical power for all in Ontario; and,

WHEREAS, Ontario Hydro has been exporting larger and larger amounts of power to the United States; and,

WHEREAS, Ontario Hydro has required additional power to meet both the domestic and foreign demand; and

WHEREAS, Ontario Hydro is attempting to justify the development of Nuclear Power by arguing the excess power is required to meet total demand; and,

WHEREAS, the result of these actions and attitudes has placed the costs and security of future electrical power development in Ontario in jeopardy.

BE IT THEREFORE RESOLVED:

1. That the Provincial Government of Ontario be requested to ensure that further foreign export of electric power from Ontario Hydro, be halted.
2. That the construction of additional Nuclear Power plants be considered only for satisfying domestic demand.
3. That efforts be commenced to encourage the development of solar technology and conversion.
4. That this resolution be forwarded to all Municipalities in Ontario, requesting their support.
5. That such support be directed to the following:
 - a) Bill Davis, Premier of the Province of Ontario.
 - b) Hugh Macauley, Chairman of Ontario Hydro, Toronto, Ontario.
 - c) Local Member of Provincial Parliament.
 - d) Stuart L. Smith, Leader of the Liberal Party of Ontario.
 - e) Michael Cassidy, Leader of the New Democratic Party of Ontario.
 - f) Township of West Nissouri, Thorndale, Ontario."

e) City of Brantford

"WHEREAS the Ministry of Transportation and Communications has completed its studies for the extension of Highway 403 from Duff's Corners to Highway 401, east of Woodstock;

AND WHEREAS this improved transportation link is essential to the future economic development of the Municipalities in this corridor;

AND WHEREAS the extension of Highway 403 would greatly relieve traffic demands on the present Highway No. 2 and improve travel conditions from the standpoint of efficiency and safety;

AND WHEREAS in the past, various Municipal and citizen groups have requested the completion of this important highway link between Hamilton and Highway 401;

NOW THEREFORE it is respectfully recommended that City Council aggressively pursue with the Ministry of Transportation and Communications the need for the completion of Highway 403 from Duff's Corners to Highway 401, east of Woodstock, at the earliest possible date."

f) City of Nepean

"WHEREAS the Minister of Municipal Affairs and Housing has indicated that the Province of Ontario will enact legislation providing for a three-year term of Council;

AND WHEREAS the City of Nepean has, by resolution on several occasions, expressed a desire for a three-year Council term;

BE IT RESOLVED THAT The Honourable Claude Bennett, Minister of Municipal Affairs and Housing, be advised that the Council of The Corporation of the City of Nepean supports and endorses the implementation of a three-year term of Council, with the term to commence on December 1, 1982;

BE IT FURTHER RESOLVED THAT this resolution be forwarded for endorsement to all cities in Ontario with a population in excess of 50,000."

g) Federation of Canadian Municipalities

"WHEREAS the monetary policy followed by Canada during the past three years has not produced the expected results;

WHEREAS inflation continues to increase;

WHEREAS the value of the Canadian dollar continues to decline;

WHEREAS interest rates have, in the past several months, risen beyond an acceptable level;

WHEREAS this situation fosters a climate of economic uncertainty;

WHEREAS the industrial sector, particularly small-and medium-sized businesses, is greatly affected by this situation, thus reducing the number of new jobs created;

WHEREAS the policy followed by the Bank of Canada to control inflation, even if it were well intentioned, has proven ineffective, as has the identical policy followed by the Federal Reserve Board in the U.S.A.;

WHEREAS the weakest sectors of the economy are being hard hit by high interest rates;

WHEREAS bankruptcies in Quebec during recent months have increased by 30%;

WHEREAS many citizens in our city will not be able to afford higher interest payments, thus jeopardizing their main investment, their homes;

C

WHEREAS housing construction is, for all practical purposes, at a standstill;

WHEREAS the value of money has now surpassed the value of productive work;

WHEREAS the unemployed, borrowers, and business and industrial enterprises are the victims of this situation;

WHEREAS the proposals made by the federal finance minister will not, over the long term, be in the best economic interests of business enterprises;

WHEREAS this policy is not, by its nature, able to reduce the enormous sum of 9 billion dollars paid annually to foreign shareholders in the form of dividends, interest payments, etc. because foreign investments in Canada amount to more than 60 million dollars;

WHEREAS the Canadian economic situation is in urgent need of redress;

WHEREAS several economists, including Galbraith, now acknowledge the failure of monetarist policy;

WHEREAS investments in primary industries must increase;

WHEREAS monetarist policy is prejudicial to the best interests of our citizens;

WHEREAS this policy may be changed by the 282 federal Members of Parliament in the House of Commons in Ottawa;

WHEREAS Mr. Jean Lapierre was elected as our representative to this Parliament;

The following motion is proposed by Alderman Yolande Comeau, seconded by Alderman Jean Leclerc;

- 1.- That the preceding paragraphs be made an integral part of this resolution;
- 2.- To ask Mr. Jean Lapierre, M.P. for Shefford, to adopt a policy aimed at lowering interest rates in Canada, and
- 3.- To achieve this goal, to stress to his colleagues from all political parties the urgency of according top priority to discussion of this problem;
- 4.- That copies of this resolution be sent to Prime Minister Pierre Elliott Trudeau and Premier Rene Levesque as well as to the UMQ and the FCM, so that these bodies will forward copies of said resolution to all their member municipalities so that they, in turn, will adopt similar resolutions."

/7...

h) Borough of Scarborough

"The Borough of Scarborough is sympathetic to the problems experienced by members of Homeowners with Urea Formaldehyde Insulation (HUFFI) Ontario relating to UFFI (Urea Formaldehyde Foam Insulation), and the Council of the Borough of Scarborough supports in principle the following objectives of HUFFI Ontario:

1. Encouraging of the Federal Government to initiate a "buy-back" program similar to that in force in Massachusetts to aid affected homeowners.
2. Urging of the Provincial Government Assessment Offices to respond favourably to affected homeowners' requests to have their properties reassessed."

Note: For the information of the Members of City Council, the Legislation Committee is drafting a recommendation of its own respecting Urea Formaldehyde Foam Insulation which will be submitted at a future meeting of City Council.

i) City of Windsor

"WHEREAS Ontario Order-in-Council 274/70 which authorizes Municipal Councils to enact by-laws for the issuance of certain lottery licences contemplates that all such applications must be approved by City Council;

AND WHEREAS the City of Windsor during 1980 issued 6,158 lottery licences and most cities in Ontario have had a similar experience;

AND WHEREAS in many instances, the charitable organizations applying for such licences, and more particularly bingo lottery licences, apply for such licences in the eleventh hour and require a licence immediately in order to reserve the organization's use of rented facilities;

AND WHEREAS the delay which would be occasioned in the issuance of a licence should it be necessary to submit all such applications to Council or Committee thereof for decision, could result in the loss of rental deposits and costs incurred for advertising and other arrangements;

THEREFORE BE IT RESOLVED that the Provincial Government be urged to amend Order-in-Council 274/70 respecting the issuance of lottery licences to authorize municipal Councils to enact by-laws to empower an appointed official to issue lottery licences to applicants who meet specific requirements established by Council and to authorize such appointed official to recommend to the Council or a Committee of Council appointed for this purpose that it not issue a licence, and to approve appeal procedures from the decision of the Committee;

AND BE IT FURTHER RESOLVED that other Cities in Ontario and the local members of the Legislature and the Association of Municipalities of Ontario be requested to endorse this resolution."

C

j) City of Windsor

"That the Province BE PETITIONED to review the business licence fees under its jurisdiction to ensure that they reflect the cost to the municipality to issue a licence and undertake inspections and surveillance of businesses, and further that a copy of this resolution BE FORWARDED for consideration to the A.M.O. and to large municipalities in Ontario and to the Local Members of Parliament for support"

Other

12. That no action be taken on the petition from the Hamilton Peace Council respecting Nuclear Disarmament.
13. That City Council support the City of Chatham in opposing the proposed increase in postal rates announced by the Postmaster General.
14. That City Council apply to the Regional Municipality of Hamilton-Wentworth to pass a By-law under the Retail Business Holiday's Act to exempt the Hamilton Convention Centre and that the City Solicitor be authorized and directed to prepare a By-law to repeal By-law No. 81-284, A By-law to Exempt the Hamilton Convention Centre from the Retail Business Holiday's Act.

Note: For the information of the members of City Council, since By-law No. 81-284 was enacted on October 20, 1981, the City Solicitor has advised that the City of Hamilton does not have the authority to pass a By-law exempting the Hamilton Convention Centre from the Retail Business Holiday's Act as only the Region has that authority.

15. For the information of the Members of City Council, the Legislation Committee has appointed an Inter-governmental Affair Sub-committee consisting of Alderman P. Peterson, Chairman, Mayor W. Powell, and Alderman P. Cowell, to review legislation which is proposed by the Provincial or Federal Government and may affect the City of Hamilton.
16. Approval of the recommendation of the Hamilton Arts Award Committee that the City of Hamilton Arts Award medallion and honorarium be awarded to Miss Elsie Thomson, past President of the Hamilton and Region Arts Council.
17. That the tax adjustments as set out in Schedules A, B and C, Compassionate, Realty and Business respectively be approved as recommended by the Tax Appeal Sub-committee as a result of its hearing of November 19, 1981.
18. That leave be granted to introduce the following bill:

Bill B-40 - By-law to confirm proceedings of The Corporation of the City of Hamilton at its meeting.

Respectfully submitted,

S.G. Hollowell, Secretary
November 19, 1981

Alderman J. MacDonald, Chairman

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its TWENTY-NINTH Report for 1981 and respectfully recommends:

1. Approval of the leasing of the dwelling at 306 Rymal Road East (Turner Farm) to Tommy J. and Eileen Coffey, commencing November 1, 1981 at a monthly rental of \$185.00 (including realty taxes).

NOTE: Mr. Coffey is an employee of the Parks Division in the Department of Public Works and will be responsible for the park security as part of his employment with the Parks Division.

2. Approval of the acquisition of the property at 52 Allan Avenue from A. and T. Investments Limited for the sum of \$28,500.00. Option to be accepted on or before November 27, 1981. Cash on closing of sale, which shall be on or before March 31, 1982.

This property is required for parks purposes in the Homeside Neighbourhood. Sufficient funds are available in Account No. 0408-C16096 to provide for this acquisition.

3. Approval of the acquisition of the property at 89 Charlton Avenue West from Annie Barclay, for the sum of \$38,300.00. Option to be accepted on or before December 11, 1981. Cash on closing of sale, which shall be on or before January 18, 1981.

This property is required for parks purposes in the Durand Neighbourhood. Sufficient funds are available in Account No. 0408-C66056 to provide for this acquisition.

4. That leave be granted to introduce the following bills:

- (a) Bill C-3 - By-law respecting the Destruction of Records of the Department of Culture and Recreation.
- (b) Bill C-4 - By-law to appoint members to the Local Architectural Conservation Advisory Committee.

5. That the former Sanitary Landfill Site immediately adjacent to Highway 403 be officially named "Kay Drage Park".

NOTE: For the information of the members of City Council, naming this park site in honour of the late Alderman Kay Drage, is in accordance with subsection (e) of the Guidelines for the Naming of City Parks, as approved by City Council on January 24, 1981.

Respectfully submitted,

ALDERMAN K. M. EDGE, CHAIRMAN
PARKS AND RECREATION COMMITTEE

J. J. Schatz, Secretary
November 12, 1981

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its TWENTYSIXTH Report and respectfully recommends:-

1. That approval be given to City Initiative 81-BB, to establish modifications to the zoning regulations applicable to property located on the south side of York Boulevard, west of Bay Street North, as shown on the attached plan marked as APPENDIX "A", on the following basis:
 - (a) That the "CR-3" District regulations applicable to the subject land be modified to include the following variances and restrictions:
 - (i) That notwithstanding the provisions of Section 15B(9)(a) and (10) of By-law No.6593, the yard requirements for the 12-storey residential structure and parking structure adjacent to Caroline Street shall be a minimum of 1.0 m and for the parking structure adjacent to Napier Street shall be a minimum of 1.0 m
 - (ii) That notwithstanding the provisions of Section 15B(21), the required landscape area shall be a minimum of 8.8% of the area of the lot.
 - (iii) That notwithstanding the provisions of Section 15B(23) not less than 8.8% of the area of the lot shall be landscaped at grade.
 - (iv) That notwithstanding the provisions of Section 15B(26) and Section 2(2)j(xa)(C) not less than 30% of the landscaped area provided under Subsection 21 as amended by Clause (b) of this By-law shall be natural earth comprised of the natural planting of grass lawns, trees, shrubs and flowers in such a manner as to establish and enhance the beautification of the landscaped area and any building or structure on the same lot.
 - (b) That By-law 76-233 (York Boulevard) be amended to provide for the following variances and modifications:
 - (i) That notwithstanding the provisions of paragraph 1 of Subsection 5 of By-law 76-233:
 - (A) That part of any building located at the south-easterly corner of the intersection of Caroline Street North and York Boulevard, shall be required to provide a yard adjacent to York Boulevard and Caroline Street North, of a minimum of 1.0 m.

- (B) A maximum 0.9 m high decorative wall shall be permitted within the required 3.0 m yard along York Boulevard, provided that a minimum yard of 2.5 m from York Boulevard shall be maintained.
- (ii) That notwithstanding the provisions of paragraph 3 of Subsection 5 of By-law 76-233, a protective structure in the form of a canopy or building overhang along York Boulevard between Caroline Street North, and Bay Street North, shall only be required in association with any building erected along York Boulevard, except for that portion of a building which abuts the radius forming the south-easterly corner of the intersection of Caroline Street North and York Boulevard.
- (c) That the amending By-law be added to Section 19(b) of the Zoning By-law as Schedule and that the subject land on Zoning District Map W-4 be notated S-
- (d) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No.6593 and Zoning District Map W-4 and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk.
- (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

EXPLANATORY NOTE - the by-law will provide for modifications to the "CR-3" (Commercial/Residential District regulations applicable to property located on the south side of York Boulevard, west of Bay Street North, to permit:

1. A 12-storey residential structure and parking structure to have a setback from Caroline Street of 1.0 m and a parking structure to have a setback from Napier Street of 1.0 m.
2. A total required landscape area of 8.8% of the area of the lot instead of 40%.
3. A landscape area at grade of 8.8% of the area of the lot instead of 10%.
4. A landscape area of natural earth or plantings of 30% of the required landscape area instead of 50%.
5. A reduction in the required yard adjacent to York Boulevard along the radius of the intersection of York Boulevard and Caroline Street North of a minimum of 1.0 m instead of 3.0 m.
6. A maximum 0.9 m high decorative wall within the required 3.0 m yard from York Boulevard, provided that a minimum yard of 2.5 m from York Boulevard instead of 3.0 m, is maintained.

7. The deletion of a required canopy along York Boulevard except in association with any building erected along York Boulevard, and for that portion of the building which abuts the radius forming the south-easterly corner of the intersection of Caroline Street North and York Boulevard.
8. The deletion of a required canopy for any building which is to be erected at a distance greater than 40 m from York Boulevard.
2. (a) That approval be given to application SA 81-08, Ontario Land Corporation, owner, to establish a draft plan of subdivision located to the south of Morgan Road between Clifton Downs Road and Caroga Court, as shown on the plan attached marked APPENDIX "B" subject to the following conditions:
 - (i) That this approval apply to the plan prepared by Wyllie and Ufnal Limited bearing drawing number 8124 "G" revised as shown in red to provide lot depths of 45.72 m from the southerly limit of the lands and 5 m x 5 m daylighting triangles at the corners of the roads.
 - (ii) That the proposed road allowance connecting Clifton Downs Road and Caroga Court be established in full and be dedicated as public highway.
 - (iii) That the street be named to the satisfaction of the Regional Municipality of Hamilton-Wentworth and the City of Hamilton.
 - (iv) That the owner convey land in the amount of 5% of the land included in the plan to the municipality for park purposes pursuant to the provisions of Section 33(5)(a) of The Planning Act. Alternatively, the City may accept a cash payment in lieu of conveying land in the amount of 5% of the land included in the plan to the municipality for park purposes. This condition will be waived if the owners have previously fulfilled the park requirements of the City.
 - (v) That the City lift the 0.305 m reserve shown as Block "M" Registered Plan No. M-286 prior to sending its release of the final plan to the Region.
 - (vi) That Block 38 not be developed except in conjunction with the adjacent part of the cul-de-sac known as Caroga Court (Plan M-67).
 - (vii) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
 - (viii) That the owner provide the City of Hamilton and the Region with a certified list showing the net area of each lot in the final plan.

- (ix) That the owner comply with the residential development standards to control the effects of freeway noise as adopted by City Council on October 9, 1973 and amended by City Council on June 29, 1976 and September 27, 1977.
 - (x) That the owner agree in writing to satisfy all the requirements financial and otherwise, of the City of Hamilton.
 - (b) That a subdivision agreement be entered into by the Corporation of the City of Hamilton and the Owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to Application SA 81-08, Ontario Land Corporation, proposed draft plan of subdivision and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by the City Council.
3. That the City Solicitor be authorized and directed to prepare a by-law for the demolition of the building and the clearing of lands at 86 Ray Street North pursuant to Subsection 21 of Section 36 of The Planning Act.
 4. That the Building Commissioner be authorized to issue Demolition Permits for the demolition of residential buildings as outlined below for which application has been processed through the Building Department and the Planning and Development Committee:-

172 Adeline Street

5. Approval of the list of applicants submitted herewith and authorization for the Department of Community Development to process grants and/or loans in an amount not to exceed \$7,500.00 with the actual amount of grant or loan to be determined by inspection of the property under the Property Standards By-law 74-74 and pursuant to the Housing Development Act Regulation 688/74.

That the officials of the Corporation involved in this Programme be authorized to take all action that is necessary to process these loan applications and that the Mayor and City Clerk be authorized to execute on behalf of the City any documents required in connection with the Ontario Home Renewal Programme.

A. McNeice
133 Walter Avenue N.

A. Rice
1888 Main Street E.

S. Tirone
216 Ray Street N.

R. Smith
196 Holton Avenue S.

R. Brown
1088 King Street E.

J. Stremble
424 MacNab Street N.

G. Castellino
282 John Street N.

J. Hall
139 Maplewood Avenue

J. Boylan
371 Weir Street N.

G. Stevens
9 Viceroy Court

I. Gagliardo
101 Park Street N.

L. Giordano
27 McKinstry Court

N. Jaskula
46 Barnesdale Ave. N.

K. Neilsen
96 Munn Street

V. Tonello
35 Edward Street

M. Andrus
106 East 25th Street

J. Grodde
203 Cloverdale Avenue

V. Bohdanec
129 Connaught Ave. N.

6. That the City's claim regarding Invoice No. 20671 to DiCenzo Construction Company Limited dated August 23, 1974, in the amount of \$4,857.19 respecting the sodding of untravelled portion of the road allowance in Glendale Manor be settled in the amount of \$3,500.00 inclusive of costs payable to the City.
7. That the second paragraph of Item 22 of the 20th Report of the Planning and Development Committee passed by City Council August 25, 1981, which reads:

"The Committee therefore recommends that the City Treasurer be authorized to continue to make progress payments to the Province without making the statutory holdback and even though a lien, or liens, may be registered against the title, since discharges of them will be provided by the Contractor to the Province."

be deleted and the following paragraph inserted in its place:

"The Committee therefore recommends that notwithstanding the concern of the City Solicitor, Council approve the release of the monies to the Province in accordance with the Agreement which authorized the release of monies upon actual payment by the Province, without the necessity of the City obtaining the required forms and discharge of Liens under The Mechanics' Lien Act as these will be provided by the Contractor to the Province."

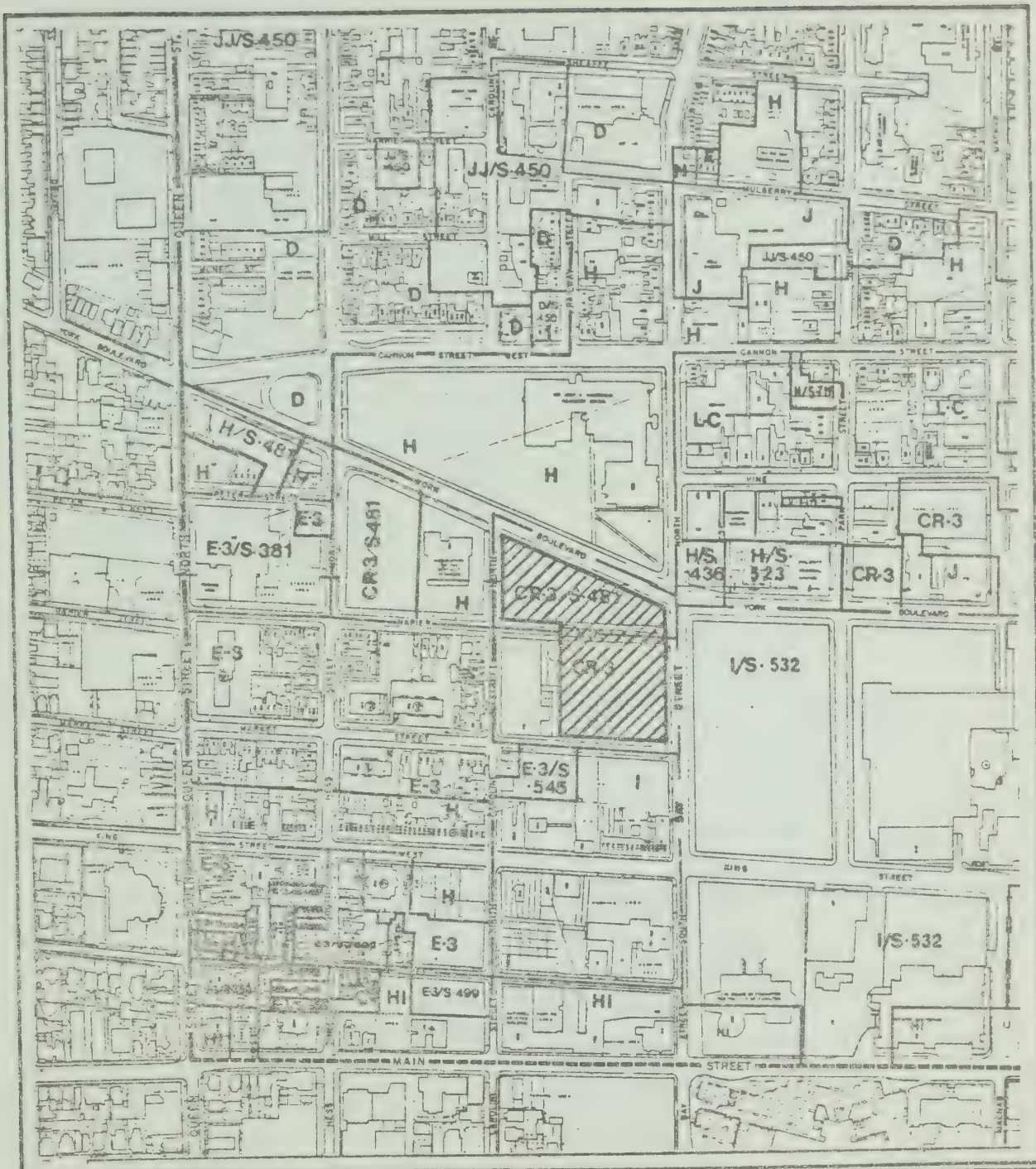
8. That leave be granted to introduce the following Bills:-
 - (a) Bill D-153 - a By-law to amend Zoning By-law No. 6593 respecting lands located at Mun. Nos. 115 and 125 Centennial Parkway North
 - (b) Bill D-154 - a By-law to amend Zoning By-law No. 6593 respecting land located on the west side of Normajean Avenue, in the area south of Stone Church Road East
 - (c) Bill D-155 - a By-law to amend Zoning By-law No. 6593 respecting land located at the rear of Mun. No. 681 Limeridge Road East
 - (d) Bill D-156 - a By-law to Adopt Official Plan Amendment No. 371 respecting lands located at Mun. Nos. 24 to 60 Sanford Avenue North

- (e) Bill D-157 - a By-law to Adopt Official Plan Amendment No. 373 respecting land located to the south-west of Rymal Road East and the future extension of Upper Gage Avenue
- (f) Bill D-158 - a By-law to Adopt Official Plan Amendment No. 370 respecting lands in the vicinity of the intersection of Stone Church Road East and Upper Wellington Street
- (g) Bill D-159 - a By-law to amend Zoning By-law No. 81-135 respecting land located at Mun. Nos. 200 and 206 James Street South and 17 Robinson Street
- (h) Bill D-160 - a By-law to repeal Zoning By-law No. 81-196 respecting land located at Mun. Nos. 102 Park Street North and 60 Vine Street
- (i) Bill D-161 - a By-law to amend Zoning By-law No. 75-217 respecting land located on the west side of Upper James Street in the area south of Mohawk Road West
- (j) Bill D-162 - a By-law to amend Zoning By-law No. 6593 respecting land located at the south-west corner of Bay Street North and York Boulevard

Respectfully submitted,

November 11, 1981
JDT:bg

Alderman W. M. McCulloch
Chairman



**PLAN SHOWING
LANDS SUBJECT TO
SITE PLAN CONTROL
APPLICATION DA-81-47**

**Regional Municipality of Hamilton-Wentworth
Planning and Development Department**

Legend



SITE OF THE APPLICATION

North



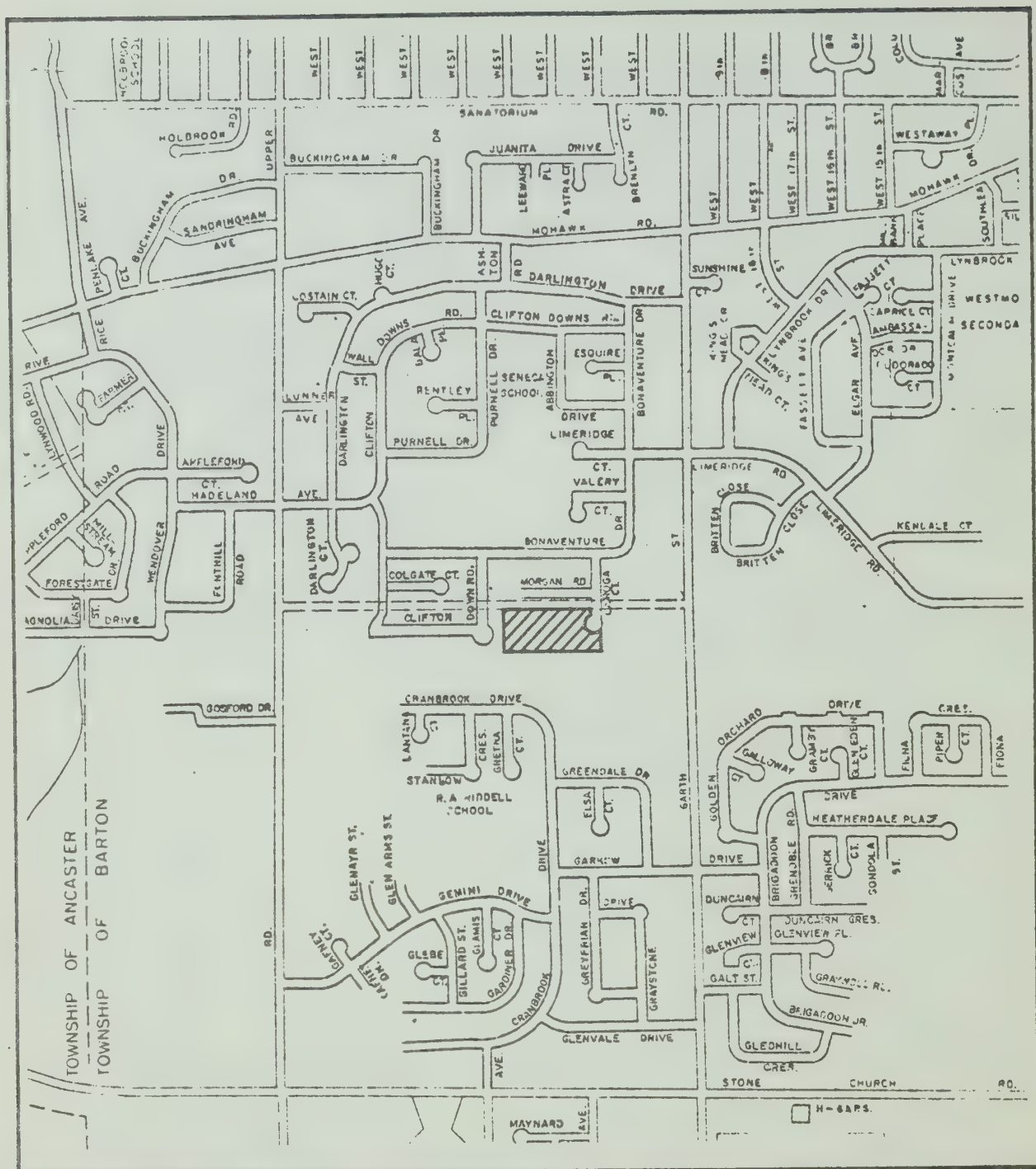
**Scale
1: 5000**

**Date
JULY 1981**

**Reference File No.
DA-81-47**

**Drawing No.
81-H-79**

E



Location Plan For

GILKSON GARDENS

25T - 81011

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

PROPOSED SUBDIVISION

<p>North</p>	<p>Scale</p> <p>1:12 000</p>	<p>Reference File No.</p> <p>25T-81011</p>
	<p>Date</p> <p>AUGUST 1981</p>	<p>Drawing No.</p> <p>81-H-95</p>



REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its TWENTY-FIRST Report for 1981 and respectfully recommends:

BUS SHELTERS

1. That the Bus Shelter Sub-Committee be authorised to proceed with the installation of a bus shelter in front of 18 Mohawk Road East.

NOTE: Approximate cost - \$1,800.00. Funds are available in Account #0328-2719.

2. That the Bus Shelter Sub-Committee be authorised to proceed with the installation of a bus shelter on Upper Paradise Road at the south-west corner of Sanatorium Road.

NOTE: Approximate cost - \$1,800.00. Funds are available in Account #0328-2719.

3. That the Director of Real Estate be authorised and directed to make application to the Committee of Adjustment for a Minor Variance of the set-back requirements to permit the erection of a bus shelter on Kenilworth Avenue North at the north-west corner of Barton Street East.
4. That the Director of Real Estate be authorised and directed to make application to the Committee of Adjustment for a Minor Variance of the set-back requirements to permit the erection of a bus shelter on Melvin Avenue and the north-east corner of Osborne.

REGIONAL ENGINEERING

5. That the application of Mr. W. Nelson, President of G.T. French Paper Limited, 95 MacNab Street North, to enter into an encroachment agreement with the City for two proposed planters, one planter being located approximately 2.6 metres (8.5 feet) south of the property line and encroaching onto the road allowance of Vine Street by a maximum of 0.9 metres (3.0 feet) for an approximate distance of 1.5 metres (5.0 feet), the other planter being located at the rear of the building and encroaching onto the road allowance of Vine Street by a maximum of 3.0 metres (10.0 feet) for an approximate distance of 1.1 metres (3.5) feet be approved provided:

- (a) That the owner enter into an agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;

- (b) That an annual fee of \$10 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution, in addition to the \$25 annual fee to be charged to the owner for encroachment insurance.
6. Whereas in 1980 a "Bridge Need Study" of City and Railway owned bridges in the City of Hamilton identified the Mary Street and MacNab Street bridge over the C.N.R. main line and the Pearl Street bridge over the T.H. & B. main line for detailed structural investigations, it is therefore recommended:
1. That the firm of Reed, Voorhees and Associates Ltd. be retained to carry out the detailed structural appraisal study on the Mary Street, MacNab Street and Pearl Street bridges at a maximum cost of \$17,500.
 2. That the sum of \$7,500 be transferred to Account #0405-20529 (Bridge Appraisals), from Account #0352-0263(07) (Major Repairs Poulette Street Bridge).

NOTE: This work was allowed for in the 1981 budget.

TRAFFIC

7. That Section 7 (Moving Buildings or Other Over-Weight or Over-Size Loads) of By-law No. 66-100 To Regulate Traffic be further amended by deleting from sub-section (4)(c) the following words, namely:-

"3,000 pounds"

and by substituting therefore the following words, namely:-

"1.5 tonnes".

8. That Section 8 (Heavy Traffic) be further amended by deleting from sub-section (1) the following words, namely:-

"eight thousand (8,000) pounds"

and by substituting therefore the following words, namely:-

"four (4) tonnes".

9. That Schedule 7 (Weight Restrictions on Certain Bridges) be amended by deleting therefrom the following items, namely:-

"Valley Inn Road, bridge over Grindstone Creek	15 Tons
Pearl Street, bridge over railway	8 Tons
Poulette Street, bridge over railway	8 Tons
Ray Street, bridge over railway	8 Tons".

and by adding thereto the following items, namely:-

"Valley Inn Road, bridge over Grindstone Creek	13.5 Tonnes
Ray Street, bridge over railway	7 Tonnes".

10. That Schedule 15 (Designated Traffic Lanes) be amended by adding thereto the following item, namely:-

"Limeridge	100 feet east of	North	Anytime	Westerly
	easterly entrance to			to Northerly".
	Limeridge Mall and			
	Easterly entrance to			
	Limeridge Mall			

11. That Schedule 23 (Hamilton Street Railway Bus Stops) be amended:-

- (a) by deleting from the Westbound Column of the Stoney Creek Saltfleet Community Table the following items, namely:-

"Limeridge at No. 508 (MB)
Limeridge 100' east of Upper Wentworth".

and by adding thereto the following items, namely:-

"Limeridge at west entrance to Mall
Limeridge 200' east of Upper Wentworth".

- (b) by deleting from the Eastbound Column of the Stoney Creek Saltfleet Community Table the following item, namely:-

"Limeridge 100' east of Upper Wentworth (FS)".

and by adding thereto the following item, namely:-

"Limeridge 200' east of Upper Wentworth (FS)".

12. That Schedule 26 (No Parking Areas) be amended by deleting from Section A (No Parking Anytime) the following items, namely:-

"Burris	Both	Main to 75 ft. northerly
McAnulty	North	Ottawa to Wallace
Wallace	East	McAnulty to Beach".

and by adding thereto the following items, namely:-

"Burris	East	Main to 61 feet northerly
Burris	West	Main to 72 feet northerly".

13. That Schedule 27 (Alternate Side Parking) be amended by deleting therefrom the following item, namely:-

"Hampton
McAnulty to Beach Road East West".

14. That Schedule 29 (No Stopping Areas) be amended by deleting from Section A (No Stopping Anytime) the following item, namely:-

F

McAnulty to 50 feet north".

15. That Schedule 30 (Commercial Loading Zones) be amended by deleting therefrom the following item, namely:-

"McAnulty	South	40 feet	42 feet east of Ottawa	Anytime".
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16. That the application of M. & S. Hoffman to lease a portion of the boulevard of Acorn Street, adjacent to Nos. 24-60 Sanford Avenue North, for parking purposes be approved during the pleasure of City Council provided:-

- (i) That the owner complies with the requirements as set out in the policy respecting using a portion of the road allowance for parking purposes.
- (ii) That the approach and parking area be constructed in accordance with the submitted plan at the owner's expense.
- (iii) That the owner prepares and executes an agreement, satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
- (iv) That the applicant pay the annual fee as established by City Council plus taxes, in addition to the \$25.00 annual fee to be charged to the applicant for encroachment insurance.

17. That the application of Netherlee Investments Limited to lease a portion of the boulevard of Cathcart Street, adjacent to No. 205 Cannon Street East, for parking purposes be approved during the pleasure of City Council provided:-

- (i) That the owner complies with the requirements as set out in the policy respecting using a portion of the road allowance for parking purposes.
- (ii) That the approach and parking area be constructed in accordance with the submitted plan at the owner's expense.
- (iii) That the owner prepares and executes an agreement, satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
- (iv) That the applicant pay the annual fee as established by City Council plus taxes, in addition to the \$25.00 annual fee to be charged to the applicant for encroachment insurance.

18. That the application of Netherlee Investments Limited to lease a portion of the boulevard of Cathcart Street, adjacent to No. 203-1/2 Cannon Street East, for parking purposes be approved during the

pleasure of City Council provided:-

- (i) That the owner complies with the requirements as set out in the policy respecting using a portion of the road allowance for parking purposes.
 - (ii) That the approach and parking area be constructed in accordance with the submitted plan at the owner's expense.
 - (iii) That the owner prepares and executes an agreement, satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
 - (iv) That the applicant pay the annual fee as established by City Council plus taxes, in addition to the \$25.00 annual fee to be charged to the applicant for encroachment insurance.
19. (a) That the policy be adopted that School Traffic Officers shall not be assigned to locations which are controlled by traffic signals in Hamilton, and,
- (b) That the Chief of Police be instructed to discontinue the use of School Traffic Officers at the intersections of Mohawk Road and Magnolia Drive, and Mohawk Road and Rice Avenue, at the end of the 1981/1982 school term, and,
- (c) That the Board of Education and the Separate School Board be requested to consider the use of School Patrols where they consider that there is a concern for school children crossing public highways.

PURCHASING

20. That the report of the Director of Purchases respecting the following, be approved:

(i) BELL-CAMP MANUFACTURING LTD., Ingersoll, Ontario

Supply & Installation of new equipment to repair the salt storage silo at Brampton St. Yard \$18,038.49

NOTE: Lower of 2 quotations.

(ii) WEN HAL LTD., Burlington, Ontario

For the supply & delivery of Fertilizers in accordance with specifications issued by the Director of Purchases and Vendor's Tender for the total sum of . \$24,450.00

NOTE: Lower of 2 tenders received.

(iii) BEATTIE EQUIPMENT RENTALS, Puslinch, Ontario

Equipment Rental for Winter Maintenance of Trucks & Loaders, in accordance with specifications

issued by the Director of Purchases and Vendor's
Tender as follows:
Rubber Tired Loader & Operator - 1 vehicle at \$31.00 per hour

(iv) MAPLE LEAF INDUSTRIAL SALES LTD., Stoney Creek, Ontario

For the supply and delivery of One Ford 340 Diesel
Tractor in accordance with specifications issued by
the Director of Purchases and Vendor's Tender for
the sum of \$12,305.00

NOTE: Lower of 2 tenders.

(v) EASTGATE FORD SALES, Hamilton, Ontario

For the supply & delivery of One (1) Ford Diesel
24,000 lb. GVW Truck Chassis & Cab, in accordance
with specifications issued by the Director of
Purchases and Vendor's Tender for the sum of \$19,984.25

NOTE: Lowest of 3 tenders.

REAL ESTATE

21. That the City of Hamilton purchase from Ontario Hydro a parcel of land known as part of Lot 10, Concession 6, formerly Township of Barton, now in the City of Hamilton more particularly described as Part 1, Reference Plan 62R-5676 for the sum of \$675.00 subject to the following conditions in favour of Ontario Hydro. The purchase price to be charged to account #0406-111036.

1. The consideration to be paid by the City to Ontario Hydro for the purchase of the lands shall be \$675.00.
2. The applicant must ensure that all construction equipment working on the lands maintains a clearance of at least 15 feet to the nearest overhead transmission line conductor. The proposed road grade to be not more than 0.3m (1') higher than the existing road grade.
3. The lands will be deeded subject to the condition that the land shall be opened and kept open as a public highway.
4. Upon completion of construction, the applicant must satisfactorily restore the subject lands, together with any additional Ontario Hydro lands which may be damaged during construction for this project. In this regard, the applicant will be required to contact Mr. G.E.C. Dowell to arrange a final inspection of the property.
5. During construction, the applicant shall assume all liability and indemnify Ontario Hydro against all claims of any nature whatsoever.
6. The applicant must give 48 hours' notice to Mr. G.E.C. Dowell

at 1053 Main Street West, Hamilton, telephone 529-7111, extension 324, prior to entering upon Ontario Hydro property. In the event safety supervision is deemed necessary by Ontario Hydro, any charges in this regard will be the responsibility of the applicant.

7. No lighting standards are to be erected on the lands without the prior approval of Ontario Hydro.
 8. Grading shall be done in such a way that the area to be restored conforms to the natural topography of the area and allows for proper drainage. The grading shall leave the area to be restored with a smooth surface suitable for seeding.
 9. The applicant must, at his expense, construct "curb cuts" of at least 12 feet in length to enable Ontario Hydro vehicles to gain access to its adjacent lands.
 10. It is noted that the distance from the tower face to the new road limit is approximately 57 feet. We require the City's confirmation that this clearance is acceptable and that Ontario Hydro will not be required, either now or in the future, to relocate the tower to conform to the minimum setback requirements of the City.
22. That the sale of City surplus lands at the south-east corner of Mohawk Road West and West 5th Street to Mr. George Lioris with a frontage of 71 feet by 50 feet, more or less, less a 20'x20' daylight corner for the sum of \$18,500.00 be completed.

NOTE: A deposit from the Royal Bank of Canada Draft 12907593-054 in the sum of \$1,850.00 is on deposit with the Treasurer.

This offer to Purchase is conditional upon:-

1. The Purchaser obtaining at his own expense a permit to erect a residential dwelling on this property within 60 days from the date of acceptance of this Offer by the Vendor, otherwise, this Offer shall be null and void and the Purchaser's deposit shall be returned to him in full without interest or penalty.

This Agreement may be terminated by the Purchaser if within 60 days from the date of acceptance of this Offer by the Vendor he notifies the Vendor in writing by regular mail or delivery to the Vendor's address that he has been unable to obtain at his own expense a permit for the erection of a residential dwelling on this property. Upon receipt of this notice the Agreement shall become null and void and the Purchaser's deposit shall be returned to him in full without interest or penalty. If no such notice is received, this term of contract shall be valid and binding whether or not such permit has been obtained.

2. The Vendor removing two tree stumps from the land being purchased herein prior to the date of closing.
3. The Purchaser being exempt from paying a lot levy or capital contribution with respect to the purchase and subsequent development of this site with a single family dwelling.

In the event that any or all of Conditions 1, 2 and 3 above are not fulfilled, or not waived in writing by the Purchaser, prior to the date of closing of this transaction, this Agreement shall be terminated, being null and void and the deposit shall be returned by the Vendor to the Purchaser without interest or deduction for cancellation and the Vendor shall not be liable for any damages or costs.

The Purchaser is hereby authorised by the City to apply for the necessary building permit.

Council is advised that said lands are subject to a Council resolution dated October 13, 1981, Item #3 of the 19th Report of the Finance Committee. The resolution provides that a former purchaser, Mr. H. Henowick who forfeited a \$2,100.00 deposit upon failure to close, would be entitled to said deposit in the event that any subsequent sale of the property would produce a value of \$21,000.00 or over. The subject transaction does not meet that requirement and accordingly the said forfeiture stands.

23. That the City convey a parcel of land 65 feet by 17 feet along the southerly limit of Limeridge Road East known as 64 Limeridge Road East to Douglas and Catherine Morren for the sum of \$1.00.

NOTE: The subject parcel, 65' x 27' was dedicated to the City in December of 1967 for roadway purposes. Limeridge Road was expected to be 120 feet wide at that time. The Mountain Freeway changed this concept and Limeridge Road is now scheduled to be 86 feet wide. Therefore, the southerly 17 feet is surplus and is being deeded back to the abutting owners with a 10 foot strip being retained for future road widening.

SOLICITORS

24. That the Mayor and City Clerk be authorised to execute a garbage collection agreement between The Corporation of the City of Hamilton and Tonoga Limited, for the collection of garbage at 335 Melvin Avenue. This agreement provides for the City being saved harmless and indemnified from any loss, claims and damages, and that the Company will be required, at its own expense, to obtain and file with the City Clerk, an insurance policy insuring the City against loss, claims and damages for a sum satisfactory to the City Solicitor. This agreement provides for refuse collection service off the highway pursuant to Section 4, Subsection (j) of The Garbage By-law No. 66-182.

25. That the Mayor and City Clerk be authorised to execute a garbage collection agreement between The Corporation of the City of Hamilton and Tonoga Limited, for the collection of garbage at 365 Melvin Avenue. This agreement to provide for the City being saved harmless and indemnified from any loss, claims and damages, and that the Company will be required, at its own expense, to obtain and file with the City Clerk, an insurance policy insuring the City against loss, claims and damages for a sum satisfactory to the City Solicitor. This agreement provides for refuse collection service off the highway pursuant to Section 4, Subsection (j) of The Garbage By-law No. 66-182.

ENVIRONMENT

26. That Council approve the action of the Transport and Environment Committee in authorising the attendance of the Chairman or his designate at a presentation of the Hamilton Urban Dust Study in Windsor, Ontario, on November 18, 1981.

BY-LAWS

27. That leave be granted to introduce the following Bills:
- (i) Bill No. E97 - By-law to extend Jay Street by incorporating Reserve "A", registered plan number 1262.
 - (ii) Bill No. E98 - By-law to widen Limeridge Road East, north side, various locations.
 - (iii) Bill No. E99 - By-law to widen Limeridge Road East, south side, various locations.
 - (iv) Bill No. E100 - By-law to amend By-law No. 66-100 to regulate traffic.
 - (v) Bill No. E101 - By-law to amend By-law No. 66-100 to regulate traffic.

Respectfully submitted

ALDERMAN F.A. LOMBARDO
CHAIRMAN

R.C. Prowse,
Secretary
November 16, 1981.

REPORT OF THE PERSONNEL COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Personnel Committee presents its SIXTEENTH Report for 1981 and respectfully recommends:

FIRE DEPARTMENT

1. Approval of the following appropriation transfers within the 1981 Fire Department budget, from account number 0341-0127 (Uniforms, Clothing and Accessories) to:

Account No. 0341-0123 (Operating Supplies)	\$ 8,000.00
Account No. 0341-0225 (Gasoline)	\$15,000.00
Account No. 0341-0237 (Repairs & Maintenance - Auto Equipment)	\$13,000.00
	<u> .</u>
<u>TOTAL:</u>	\$36,000.00

PERSONNEL

2. That the City enter into and adopt an alcohol and drug abuse policy and treatment programme, appended hereto, as recommended by the Director of Personnel.
3. Approval of the corrected and amended 1980/1981 rates for the Mechanical Contractors Association of Hamilton and the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry of the United States and Canada, Local Union 67, as follows:

	<u>Effective</u> <u>May 21/80</u>	<u>Effective</u> <u>May 21/81</u>
Base Wage	\$14.34	\$15.25
Vacation & Statutory Holiday Pay (10%)	1.44	1.53
Health & Welfare	0.69	0.79
Pension	0.75	0.75
S.U.B.	0.10	0.10
Field Dues Fund	0.10	0.10
Training Funds	0.06	0.06
O.P.T.C. Promotion Fund	0.01	0.01
	<u> </u>	<u> </u>
TOTAL	\$17.49	\$18.59
M.C.A.H. Industry Fund	0.10	0.10
	<u> </u>	<u> </u>
TOTAL PACKAGE	\$17.59	\$18.69
Travel Allowance	0.29	0.29
Foremen - Plus 10%		

NOTE: This Contract received prior approval by City Council at its Meeting held January 27, 1981 but required corrections in the area of fringe benefits.

4. Approval of the following increase of the 1980 and 1981 contract rates between the Ontario Sheet Metal and Air Handling Group and Sheet Metal Workers International Association and Ontario Sheet Metal Workers Conference for Locals 30, 47, 235, 269, 392, 397, 473, 504, 537, 539 and 562.

<u>POSITION</u>	<u>EFFECTIVE DATE</u>	<u>BASE</u>	<u>VAC. PAY</u>	<u>WELFARE</u>	<u>DUES FUND</u>	<u>PROV. FUND</u>	<u>TOTAL PACKAGE</u>
Sheeters & Welders (Journeyman)	May 1/80	\$14.03	1.40	0.60	0.05	0.01	\$16.09
	Nov.1/80	\$14.16	1.42	0.70	0.05	0.01	\$16.34
	May 1/81	\$15.30	1.53	0.70	0.05	0.01	\$17.59
Sheeters Assistant	May 1/80	\$13.19	1.32	0.60	0.05	0.01	\$15.17
	Nov.1/80	\$13.33	1.33	0.70	0.05	0.01	\$15.42
	May 1/81	\$14.33	1.43	0.70	0.05	0.01	\$16.52
Material Handler	May 1/80	\$11.96	1.20	0.60	0.05	0.01	\$13.82
	Nov.1/80	\$11.96	1.20	0.70	0.05	0.01	\$13.92
	May 1/81	\$12.87	1.29	0.70	0.05	0.01	\$14.92

Foremen's Rate - \$1.00 per hour over present rate

5. Approval of the appointments and termination of permanent staff, appended hereto, as of November 18, 1981.

Respectfully submitted

ALDERMAN P. DRAGE
CHAIRMAN
PERSONNEL COMMITTEE

R.C. Prowse,
Acting Secretary

November 18, 1981.

Attchs:

ALCOHOL AND DRUG ABUSE POLICY AND TREATMENT PROGRAMME

Corporation of The City of Hamilton
Employee Assistance Programme Policy

The Corporation of The City of Hamilton recognises that abuse of alcohol and other drugs can contribute to personal health and behaviour problems.

Alcohol or other chemical dependencies which interfere with an employee's health and work performance are considered to be a treatable illness, and as such, will be open to the same benefits as any illness.

The Corporation's concern with drug and alcohol misuse is primarily that of the effect on employee's health and resultant work performance.

The employer commits itself to helping those employees who suffer this problem in hope that employees will be encouraged to take advantage of treatment on a voluntary basis.

However, based on poor job performance and/or attendance as noted by a Supervisor or fellow workers, mandatory referral may be arranged with the assistance of a doctor chosen by the Corporation.

If an employee refuses help, and his job performance does not improve, the employee will be subject to disciplinary procedures.

The programme will be co-ordinated through the Office of The Director of Personnel and strict confidentiality will be maintained. Implementation of this policy will not affect recognised departmental or corporate policies on job performance as they are presently applied.

The Corporation will take responsibility for training personnel in the documentation of work performance and issue assurance that an employee's job security or advancement opportunities are not adversely affected by a request for assistance.

Employee Participation

A joint management/worker committee "after the fashion of the present Health and Safety Committee" should be formed to encourage use of the services by their peers.

Committee members will be made known in the work place so that they may act as a line of communication between the employee and the Personnel Department.

Organised groups, such as Unions or Associations, must co-operate with management in encouraging their members whose work performance has deteriorated to accept the options as defined in this policy.

Treatment and Rehabilitation

Supervision will document deterioration in work performance and interview the employee as deemed necessary. If work/attendance performance does not improve in a reasonable or agreed period of time, the employee will be given a positive choice--accept employer assistance, or face established disciplinary action for unacceptable performance. On accepting assistance, he will be referred to the Personnel Department where he will be directed to a medical advisor for diagnosis.

A doctor chosen by the Corporation will make initial assessment and, if deemed necessary, will refer the employee to the appropriate assistance agency.

A commitment will be required from the patient that he/she will indeed co-operate in the programme to completion. This will include follow-up treatment or counselling as required by the medical specialist.

On return to work, the immediate Supervisor will be required to monitor the work performance and keep the Personnel Office informed on progress.

If it is confirmed during the course of treatment that the employee is not co-operating and if his work performance does not improve, then he is subject to all disciplinary measures including dismissal.

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS IN PERMANENT SERVICE

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Stephen Ames	Caretaker	Property Mtee. Division of Real Estate	Replacement for Sam Castiglione - transferred	B-2	\$275.52 per week	Oct. 13/81
Dennis Doyle	Street Sweeper Operator, Flusher Driver, Truck Driver and Labourer	Public Works	re-instated to former position	D-9, D-7, & D-5	\$8.61, \$8.52 & \$8.42 per hour	Sept. 30/81
Ken Elsie	Rink Attendant	Culture and Recreation	Replacement for John McShane - transferred	D-5	\$8.42 per hour	Oct. 13/81
Frederick Howard	Street Sweeper Operator, Flusher Driver, Truck Driver and Labourer	Public Works	Additional Staff as approved by C.A.O.	D-9, D-7, & D-5	\$8.61, \$8.52 & \$8.42 per hour	Sept. 28/81
Charles Keenan	Foreman III (Trees)	Public Works	Replacement for Anthony MacKinnon - promoted	13 C	\$19,346.08 per annum	Oct. 19/81
Anthony MacKinnon	General Foreman - Tree Trimming and Landscaping	Public Works	Replacement for Frank McGraw - retired	115	\$24,002.16 per annum	Oct. 5/81
Michael Meloche	Elevator Operator	Central Market Division of City Clerk's	Reclassification as approved by the C.A.O.	B-2	\$298.59 per week	Aug. 3/81
Stephanie Miller	Supervisor, Hamilton Central Market	Central Market Division of City Clerk's	Reclassification as approved by the C.A.O.	112	\$18,715.32 per annum	Aug. 10/81

(Referred to in Item 5 of the
SIXTEENTH Report of the Personnel
Committee)

**THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS IN PERMANENT SERVICE**

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Sam Rizzo	Foreman II (Cleaning Operations)	Public Works	Replacement for John McKay - returned to former position	12C	\$20,137.52 per annum	Oct. 24/81
Karl Schiff	Labourer	Public Works	Demoted at his own request	D-5	\$8.42 per hour	Oct. 12/81
Nancy Setterlund	Head Guide	Dundurn Castle Div. of Culture and Recreation	Replacement for Stevenson Winder - resigned	109	\$14,738.88 per annum	Oct. 19/81
Deborah Stonehouse	Lifeguard I	Culture and Recreation	Replacement for Marnie Tomlin - resigned	CH-5	\$254.11 per week	Sept. 21/81
Francis Bianucci	Probationary Fire Inspector	Fire	Additional Staff as approved by Council	N-1/A	\$18,952.89 per annum	Oct. 13/81
David Christopher	Probationary Fire Inspector	Fire	Additional Staff as approved by Council	N-1/A	\$18,952.89 per annum	Oct. 13/81
Paul Harper	Probationary Fire Inspector	Fire	Additional Staff as approved by Council	N-1/A	\$18,952.89 per annum	Oct. 13/81
Frank Pauls	Probationary Fire Inspector	Fire	Additional Staff as approved by Council	N-1/A	\$18,952.89 per annum	Oct. 13/81
Donald Boyer	Large Power Grader Operator, Truck Driver & Labourer	Public Works	Replacement for Peter Durant - promoted	D-11, D-7, D-5, & D-4	\$8.75, \$8.52, \$8.42, & \$8.26 per hour	Oct. 19/81

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS IN PERMANENT SERVICE

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Paolo Faustini	Large Power Grader Operator, Truck Driver & Labourer	Public Works	Replacement for Andrew Kyle - deceased	D-11, D-7, D-5, & D-4	\$8.75, \$8.52, \$8.42, & \$8.26 per hour	Oct. 19/81
John Torosantucci	Large Power Grader Operator, Truck Driver & Labourer	Public Works	Replacement for Charles McHugh - Workmen's Comp.	D-11, D-7, & D-5	\$8.75, \$8.52, \$8.42, & \$8.26 per hour	Oct. 19/81
David Billyard	Garbage Truck Driver	Public Works	Replacement for James Plumptree - retired	D-9	\$8.61 per hour	Oct. 5/81
Francis Morash	Garbage Truck Driver	Public Works	Replacement for John Ashurst - demoted	D-9	\$8.61 per hour	Oct. 5/81

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT SERVICE

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Sidney Mitchell	Airport Manager	Airport	Retirement	11 years and 7 months	Sept. 30/81
Donald Watson	Programmer I	Treasury	Resignation	9 years and 10 months	Oct. 30/81
Polly Zigomanis	Housing Programs Officer	Community Development	Resignation	3 years and 7 months	Oct. 23/81

MEETING OF CITY COUNCIL

DECEMBER 9, 1981

A G E N D A

- A Finance Committee
- B Legislation Committee
- C Parks and Recreation Committee
- D Planning and Development Committee
- E Transport and Environment Committee
- F Personnel Committee
- J By-laws

REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:-

The Finance Committee presents its **TWENTY-FOURTH** Report and respectfully recommends:-

1. Approval of the awarding of the following contract:-

COMSTOCK INTERNATIONAL LTD., Burlington, Ontario.

To furnish all materials and to perform and complete all work for the Kitchen Renovations at the Hamilton Convention Centre, in accordance with Plans and Specifications issued by the Director of Purchases and Vendor's Tender for the total sum of \$94,987.00.

NOTE: Lowest of 6 quotations.

2. That the Director of Real Estate, on behalf of the Corporation of the City of Hamilton, be authorized to enter into negotiations with the Hamilton Region Conservation Authority to determine if it would be more economical for the Hamilton Region Conservation Authority to maintain, on behalf of and at the expense of the City of Hamilton, vacant lots which have been created on the Beach Strip as the result of the demolition of buildings acquired under the Beach Strip Acquisition Programme.
3. Section 10 of the Thirtieth Report of the Parks and Recreation Committee makes reference to the installation of overhead heaters in the spectator areas of Parkdale and Eastwood rinks at a cost not to exceed \$7,600.00.

The Finance Committee recommends that this expenditure be financed by an approved overdraft in Recreation Account No. 0367-0160.

4. Section 6 of the Thirtieth Report of the Parks and Recreation Committee makes reference to the appointment of Parker Consultants Ltd. to provide certain services in connection with the Pool Heating and Ventilating System at Westmount Recreation Centre at an estimated fee \$2,000.00.

The Finance Committee recommends that this expenditure be financed by an approved overdraft in Recreation Account No. 0367-2456.

5. That an application be submitted to the Subsidies Branch of the Ministry of Municipal Affairs and Housing of the Province of Ontario for the participation by the City of Hamilton in the Ontario Municipal Energy Audit Programme and that an Energy Conservation Auditor be employed on a two-year contract basis.

NOTE: Members of City Council are advised that the Province will re-imburse 80% of the total cost of employing an Energy Auditor including salary and benefits, travel, supplies and equipment and administration to a maximum of \$20,000.00 in the first year and to a maximum of \$18,000.00 in the second year. The function of the Energy Auditor would be to monitor energy consumption and to develop mechanisms for conserving energy.

6. Approval of an overdraft of \$10,000.00 in Account No. 0374-1146, Receptions and Public Events - Grants, to finance an existing overdraft of \$6,000.00 and to provide sufficient funds in this account for the balance of the year.
7. That outstanding rents receivable, in the amount of \$8,863.72, be written-off and charged to Account No. 0220, Allowance for Doubtful Accounts and that the City Treasurer be authorized to refer these outstanding accounts to a collection agency.
8. That outstanding accounts receivable, in the amount of \$33,108.48, be written-off and charged to Account No. 0220, Allowance for Doubtful Accounts and that the City Treasurer be authorized to refer these outstanding accounts to a collection agency.
9. That outstanding realty and business taxes, in the amount of \$47,444.24, be written-off in accordance with Section 495 of The Municipal Act, R.S.O. 1980, and charged to Account No. 0222, Tax Write-offs.
10. That the Chief Administrative Officer and the City Treasurer be authorized to approve current budget transfers, overdrafts and contingency transfers for the balance of December following the December 8, 1981 Council meeting provided that a list of all such transactions is compiled for the approval of the appropriate Standing Committee and/or City Council in January, 1982.
11. Approval of the recommendation of the City Treasurer that the subject of Exemption of Interest on Municipal Bonds for Income Tax purposes be referred to the Association of Municipalities of Ontario for its consideration.

Submitted with this agenda is a copy of the report of the City Treasurer dated November 27, 1981, dealing with this subject.

12. That (a) The following invoices for Lloyd D. Jackson Square and New Hotel negotiations for 1980 and 1981, totalling \$111,682.09, be paid and a subsidy claim implemented thereon:

1. Fraser & Beatty (G. A. Scroggie)	
January 25 to April 9, 1980	\$ 30,164.75
April 10, 1980 to February 16, 1981	<u>39,619.19</u>
Total Fraser & Beatty (Scroggie)	\$ <u>69,783.94</u>
Regular Business	
2. Fraser & Beatty (James Harris) for 1981	
Hotel negotiations	\$ <u>28,005.09</u>
3. The Thom Partnership for Regular Business	\$ <u>13,893.06</u>
4. Total to be paid	<u>\$111,682.09</u>
5. Subsidy Claim - 75%	\$ <u>83,761.57</u>
6. Net Cost to the City	\$ <u>27,920.52</u>

and (b) The total expenditure be financed from Account No. 0333-0156, Consultant Fees, and the resulting overdraft of \$82,969.90, calculated as follows, be approved:

Total Expenditures	\$111,682.09
Unencumbered balance in the Budget Account	<u>\$ 28,712.19</u>
Overdraft	<u>\$ 82,969.90</u>

Actual payment of the invoices of Fraser and Beatty is not to be made until the receipt, by the City Solicitor, of dockets in support of the invoices submitted.

RESPECTFULLY SUBMITTED,

ALDERMAN P. O. VALERIANO,
CHAIRMAN.

R. M. Collier, Secretary.
November 19, 1981.

REPORT OF THE LEGISLATION COMMITTEE

To the Council of The Corporation of The City of Hamilton.

Members of Council:

The Legislation Committee presents its TWENTIETH Report and respectfully recommends:

Grants and Civic Hospitality

1. That a grant in the amount of \$140.00 be made to All Souls Church - Cultural Committee, to assist in chartering 2 buses to transport senior citizens from the church to Mohawk College for the Annual Christmas Academy.
2. That a grant in the amount of \$500.00 be made to the Black Cultural Co-ordinating Committee to assist in providing a reception for Congresswoman Harris of the United States Congress and Dr. Theodore Hunt on Sunday, December 6, 1981 as part of Black Cultural Week.
3. That a grant in the amount of \$500.00 be made to CHML Radio to cover the cost of providing the necessary electrical work in connection with the Christmas Trees of Hope which are located on the City Hall Council Chamber balcony.

Note: For the information of the Members of City Council, the Christmas Tree of Hope campaign raises money for the Salvation Army.

4. Approval of a grant in the amount of \$300.00 to be used to assist in staging and hosting the Annual Silver Fox Festival Tournament to be held in the City of Hamilton in January, 1982.

Civic Awards

5. That civic awards be made to the following.

- a) Members of the Hamilton Aquatic Water Polo Club who brought honours to the City of Hamilton in 1981 by winning the Canadian Championships in Edmonton.
- b) Members of the Mohawk College Mens Touch Football Team who brought honours to the City of Hamilton in 1981 by winning the Provincial Championships.
- c) Bruce Eccles, John Scott and Chris Morgan of the Steel City Riders' Motorcycle Club who brought honours to the City of Hamilton in 1981 by winning Canadian Championships.

Resolutions

6. That the following resolutions be endorsed.

a) Borough of East York

"That the General Manager of Canada Post be advised of the Borough's objection to the proposed increase in postal rates; and

That the support of all municipalities in Ontario with a population in excess of 10,000 people and the support of the local Members of Parliament be requested in respect of Clause (1); and

That Council support the City of Chatham and any other municipalities in their opposition to the proposed postal rate increases:

b) City of Hamilton

"WHEREAS the employees of Hocketts Engineering have been laid off their jobs by Hocketts Engineering because the said company is unable to continue various projects for which it was under contract with Stelco because Stelco employees are on strike;

AND WHEREAS subsections 1 and 2 of section 44 of the Regulations of The Unemployment Insurance Act (Canada) disentitle employees of Hocketts Engineering to unemployment insurance benefits;

AND WHEREAS it is desirable that all workers and claimants, whether or not they are union members, shall not be disentitled to unemployment benefits by reason of work stoppage due to another group on strike or lock out by reason of the said subsections 1 and 2 of section 44.

THEREFORE BE IT RESOLVED that The Corporation of the City of Hamilton supports legislative changes to subsections 1 and 2 of section 44 of the Regulations of The Unemployment Insurance Act which will ensure that insured workers, whether they are members of a union or not, will be entitled to unemployment insurance benefits where the said workers have lost their employment by reason of a stoppage of work attributable to a labour dispute at their place of employment between another group and an employer, and where alternative employment by the same employer is not available to its employees."

7. That no action be taken on the following resolutions.

a) Township of Greenock

"WHEREAS, Ontario Hydro has been established to provide safe, efficient and economical energy for all in Ontario; and

WHEREAS, the Candu Nuclear System of Ontario Hydro has been demonstrated as the most productive and efficient Nuclear Power Generation System in the world; and

WHEREAS, Ontario Hydro technology and expertise in the Nuclear System could be expanded to the benefit of all Canadians; and

WHEREAS, the cost of electrical energy to the Ontario public would decrease significantly if Ontario Hydro would export more electricity to foreign markets and realize a profit from those exports; and

WHEREAS, with an energetic Nuclear Program, Ontario could become energy self sufficient.

Be it therefore RESOLVED:

1. That the Provincial Government of Ontario be requested to explore the possibility of foreign export of electricity derived from Nuclear Power.
2. That the construction of additional Nuclear Power Plants be considered for not only domestic demand but also for export of electrical energy especially to the United States.
3. That this resolution be forwarded to all Municipalities in Ontario requesting their support.
4. That such support be directed to the following:
 - a) Bill Davis, Premier of the Province of Ontario.
 - b) Hugh MacAuley, Chairman of Ontario Hydro.
 - c) Local Members of Parliament.
 - d) Stuart Smith, Leader of the Liberal Party of Ontario.
 - e) Michael Cassidy, Leader of the N.D.P. of Ontario.
 - f) Township of Greenock, Bruce County, Ontario."

b) City of Welland

"THAT Welland City Council supports the concept of a balanced Nuclear Disarmament, as negotiated by the U.S.A. and the U.S.S.R. in 1959 and adopted unanimously by the United Nations General Assembly in 1961;

AND FURTHER Council hereby urges the Government of Canada to formally request the United Nations to conduct a Global Referendum to Nuclear Disarmament, in order to let the people of all nations voice a common demand for an end to the threat of Nuclear Conflict;

AND THAT the correspondence from Operation Dismantle regarding local Referenda on Disarmament be received and filed."

c) City of Thunder Bay

"THAT the Council of the City of Thunder Bay urge the Federal Government to amend the Bank Act and such other Acts as may be necessary so as to require the Banks and other lending institutions to devote a percentage of their portfolio solely to the provision of residential mortgages at reasonable rates;

AND THAT this resolution be forwarded to all M.P.'s for North-western Ontario, to all cities in Ontario of 50,000 or more, and to the Ontario Ministry of Municipal Affairs and Housing, and to the Association of Municipalities of Ontario."

d) Hamilton and District Labour Council

"The present declining economy, coupled with soaring inflation is creating havoc in the lives of working people throughout the Country. Canadian families faced with increased interest rates, mortgages, energy, transportation, food, medical and education costs are unable to make ends meet. Increasing numbers of workers are forced to the picket lines to protect their living conditions against the onslaught of unscrupulous profiteers.

In Hamilton and area strike action is being conducted at WABCO, STELCO, HAMILTON AUTO CLUB, LEVI CLOTHING CO. and at the HAMILTON and WENTWORTH SCHOOLS by the Service Workers. The ripple effect of these strikes has had a further depressing effect on the local economy as business activity normally supported by the productive efforts of these workers grinds to a halt. The entire Community has a vested interest in the successful outcome of these strikes.

In the past few weeks we have seen many examples of the determination of the workers involved to obtain just settlements. The tremendous demonstration of unity and determination displayed by the membership of Local 1005 U.S.W.A. at Ivor Wynne Stadium in support of their Negotiating Committee surely is cause for admiration. The striking area workers must have the support of the entire Community.

The Hamilton and District Labour Council therefore calls on all Citizens and Organizations in the area, along with City and Regional Councils to express support morally, physically, and financially wherever they can to assist these workers through this time of struggle."

City Hall Facilities

8. That permission be granted for the use of the City Hall Council Chamber to conduct the Annual Max Rotman Humanitarian Youth Award to be held on Wednesday, March 10, 1982.
9. That the Hamilton Philharmonic Orchestra Concert which was authorized by City Council at its last meeting to be held in City Hall on Friday, December 18, 1981 be changed to Wednesday, December 16, 1981 and that the orchestra be permitted to rehearse for this concert in City Hall during that morning.
10. Approval of the action of the Legislation Committee in permitting the Provincial Assessment Department to use the area outside the Council Chambers on the second floor of City Hall for the purpose of receiving appeals respecting assessment on Wednesday, December 2 and Thursday, December 3, 1981.

Other

11. That no action be taken on the request from the Book and Periodical Development Council that City Council reconsider its decision to appeal the recent ruling of the Ontario Supreme Court respecting Adult Entertainment By-law 79-144, clause A (magazines).

12. That the Mayor and City Clerk be authorized to execute an agreement with Frederick Potter respecting a special taxi cab licence.'
13. Approval of appropriation transfers within the 1981 City Clerk's Department Budget, to Account 0322-0122, Advertising and Publicity, from the following accounts:

0322-0116 - Postage	\$2,000.00
0322-0131 - Repairs and Maintenance	\$1,000.00
0322-0162 - Printing Zoning By-law Maps	\$2,000.00
14. That leave be granted to introduce the following bills:

Bill B-41 - By-law to amend Market By-law No. 81-180 respecting Market hours.

Bill B-42 - By-law to confirm proceedings of The Council of The Corporation of the City of Hamilton.

Respectfully submitted,

Alderman J. MacDonald, Chairman

S.G. Hollowell, Secretary
SGH/sma
December 8, 1981



REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **THIRTIETH** Report for 1981 and respectfully recommends:

1. Approval of the following purchase:

DEPARTMENT OF PUBLIC WORKS - PARKS DIVISION

KORD PRODUCTS LTD., Bramalea, Ontario

30,000 various types of Planting Pots, 8 Cases
Fiber Hanging Pots and 6 Cases Peat Pots\$13,447.80

NOTE: Lowest of four Quotations.

2. Approval of the acquisition of the property at 151 Belview Avenue from James and May Moore for the sum of \$22,000.00. Option to be accepted on or before December 11th, 1981. Cash on closing of sale which shall be on or before January 11, 1982.

This property is required for parks purposes in the Crown Point West Neighbourhood. Sufficient funds are available in Account #0408-C16086 to provide for this acquisition.

3. Approval of the acquisition of the property at 163 Belview Avenue from Maria Palmer for the sum of \$19,000.00. Option to be accepted on or before December 11th, 1981. Cash on closing of sale which shall be on or before January 15th, 1982.

This acquisition is conditional upon the City purchasing the abutting property known as 161 Belview Avenue, which is also owned by Maria Palmer and is also within the area designated for the Crown Point West Priority Park.

Sufficient funds are available in account #0408-C16086 to provide for this acquisition.

4. Approval of the acquisition of the property at 161 Belview Avenue from Maria Palmer for the sum of \$16,000.00. Option to be accepted on or before December 11th, 1981. Cash on closing of sale which shall be on or before January 15th, 1982.

This acquisition is conditional upon the City purchasing the abutting property at 163 Belview Avenue, which is also owned by Maria Palmer and is within the area designated for the Crown Point West Priority Park.

Sufficient funds are available in account #0408-C16086 to provide for this acquisition.

5. Approval of the acquisition property at 221 Tragina Avenue North from Neil and Louise Roberts for the sum of \$20,000.00. Option to be accepted on or before December 11, 1981. Cash on closing of sale which shall be on or before March 31, 1982.

This property is required for parks purposes in the Homeside Neighbourhood. Sufficient funds are available in account #0408-C16096 to provide for this acquisition.

6. (a) That the firm of Parker Consultants Ltd., Hamilton, be engaged at an estimated fee of \$2,000.00 to provide the following services in connection with the Pool Heating and Ventilating System at Westmount Recreation Centre:
 - (i) Examine the existing heating and ventilation system and make recommendations for the temporary restoration of same.
 - (ii) Make recommendations for replacing the existing system including an estimate of costs involved.

NOTE: For the information of the members of City Council, the Finance Committee has been requested to provide the necessary funds to cover this expenditure.

7. That a \$15,000.00 budget allocation for 1982 be approved for Winterfest '82 and that the Special Events Subcommittee be authorized to expend funds in advance of formal approval of the 1982 budget estimates, in order that arrangements for this event, which takes place in early January, can be finalized.
8. That the City's portion of the fee for participants in the Recreation Department's Minor Hockey and Ringette Programme be increased from \$12.00 to \$18.00 per person for the 1982 season.

NOTE: For the information of the members of City Council, the total registration fee charged by each of the Associations ranges from \$40.00 to \$45.00, dependent upon the number registered, operating costs, etc.

9. That effective immediately, the rental rate for Saturday use of school facilities be increased from \$10.00 to \$20.00 per maximum four (4) hour period.

NOTE: For the information of the members of City Council, the Board of Education charges to the City for use of these facilities has increased from \$38.00 to \$60.00 per period. Therefore, notwithstanding the recommended increase, the City will still be subsidizing the Community Organizations using these facilities by an amount of \$40.00 per period.

10. (a) That overhead heaters be installed in the spectator areas of Parkdale and Eastwood Rinks, at a cost not to exceed \$7,600.00.
 - (b) That the Finance Committee be requested to recommend the method of financing this expenditure.

11. (a) That an agreement be entered into between the City of Hamilton and the Regional Municipality of Hamilton-Wentworth to provide for the Region to install a control box and power line at the Chedoke Golf Course, to operate the Region's sewage pumps at the Aberdeen Avenue Pumping Station.
- (b) That the Region pay the City of Hamilton an amount of \$100.00 annually for this privilege and that the fee be reviewed every three years.

NOTE: This arrangement will eliminate the need for an extra building and power outlet to be constructed by the Region. The cost of power involved for the pumps is estimated to be less than \$5.00 per month.

12. That the parking restriction in the most Easterly parking area of Mountain Brow Park be increased from the present two hour limit to three hours, and that the parking restriction in the most Westerly parking area of Mountain Brow Park be increased from the present one hour limit to three hours. The remainder of the parking areas within Mountain Brow Park to remain at the one hour time limit.
13. That leave be granted to introduce the following bill:

Bill C-5 to authorize renovations, reconstruction,
alterations and additions to the Coronation
Community Recreation Centre.

14. Approval of the appointment of MICHAEL J. TORSNEY, Architect, Hamilton, Ontario to provide complete Architectural Services with respect to the Recreation Centre to be constructed in attachment to the Sir Allan MacNab Secondary School. Fees to be in accordance with the Schedule of Fees of the Ontario Architects Association for Category "5" buildings, and subject to the special conditions imposed by the City when retaining Architects.

For the information of the members of City Council, the total estimated fee is \$185,000.00.

Respectfully submitted,

**ALDERMAN K. M. EDGE CHAIRMAN,
PARKS AND RECREATION COMMITTEE**

J.J Schatz, Secretary
November 26th, 1981

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its TWENTYEIGHTH Report and respectfully recommends:-

1. That approval be given to Zoning Application 81-32, BP Oil Limited, owner, requesting a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential) District with respect to the rear portion of property located at the north-east corner of Upper Sherman Avenue and Limeridge Road East, as shown on the attached plan marked as APPENDIX 'A', on the following basis:
 - (a) that the subject land be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential) District;
 - (b) that the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-38A and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk;
 - (c) that the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area;
 - (d) that the neighbourhood Plan be amended accordingly.

Explanatory Note - The by-law will provide for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District of the rear portion of property located at the north-east corner of Upper Sherman Avenue and Limeridge Road East, the location of which is shown on Zoning District Map E-38A. The purpose of the change is to provide uniform zoning of the entire holding at this location.

2. That approval be given to Application SA-81-07, Mountview Estates, 483493 Ontario Inc., to establish a draft plan of condominium located on the west side of San Remo Drive, as shown on the plans attached, subject to the following conditions:
 - (a) that this approval apply to the plan prepared by A.J. Clarke and Associates, dated September 22, 1981, showing 56 units;
 - (b) that the plan of condominium conform with the approved site plan by-law and/or building plans for the development;
 - (c) that the owner satisfy all requirements, financial and otherwise, of the City of Hamilton

3. That a six month extension of draft approval on Lots 4 to 7 and 8 to 11 both inclusive, shown on drawing number S-5956 which amended drawing number S-5385 the draft plan for Mentino Estates, both drawings by MacKay, MacKay and Peters Limited, O.L.S., located south of Elmbank Street and east and west of Elmore Drive, be recommended to the Province.
4. That a one-year extension of draft approval, for Application SA-77-15, Oakland Park Extension No. 3, Eugenio Catania, Edith Catania, Augusto Giannattasio and Orazio Maiuri, owners, located in the area of Federal Street and Berkindale Drive, be recommended to the Region.
5. That the application for proposed draft plan of subdivision, "Queen Victoria Gardens" be refused.

Explanatory Note - This proposed plan was submitted on October 6, 1976 and has been inactive because the applicant did not submit a rezoning application required to implement the plan. Planning Department staff advised the owner of the status of the proposed plan by letters dated October 25, 1977, April 19, 1978, January 18, 1979 and March 20, 1981, and requested that the owner submit a rezoning application, which would then be considered by the Planning and Development Committee in conjunction with the draft plan of subdivision. In the last letter it was requested that the owner authorize the closing of the file; there was no reply.

6. It has been brought to the attention of the Planning and Development Committee by the Ministry of Municipal Affairs and Housing that the Regional Municipality of Hamilton-Wentworth has not endorsed Official Plan Amendment No. 360 to redesignate 675 and 695 Rymal Road East from "Residential" to "Commercial" pending receipt of adequate documentation of the need for such a use and its appropriateness within the context of other planned development on the Hamilton Mountain. Based on the comments of the Region, the Ministry is not prepared to recommend approval of the Amendment at this time.

The Planning and Development Committee respectfully recommends that the proponent of a neighbourhood shopping centre at 675 and 695 Rymal Road East not be requested to submit a Market Analysis which considers the population to be served, the trade area and potential impact on existing and proposed retail centres in the area.

It is recommended that the Minister of Municipal Affairs and Housing be requested to refer Official Plan Amendment No. 360 to the Ontario Municipal Board for approval.

7. That the Building Commissioner be authorized to issue Demolition Permits for the demolition of residential buildings as outlined below for which application has been processed through the Building Department and the Planning and Development Committee:-

16 Wellington Street North	14 Northcote Street
18 Northcote Street	398 Barton Street East
400 Barton Street East	

8. That the City Solicitor be authorized to prepare a Quit Claim Deed from the City of Hamilton to the present owners of 51 Covington Street (Searle Industriet Limited) to release the property from the construction covenants to the City as contained in Deed Number 49711 A.B.
9. That the City Solicitor be authorized and directed to have the Court convert the judicial sale of 107 Gertrude Street to a foreclosure with the result that the City will receive no money on its claim, and that The Corporation of the City of Hamilton "write-off" as a bad debt an amount of \$5,522.64 advanced for the rehabilitation of the property at No. 107 Gertrude Street under the Ontario Home Renewal Programme.
10. (a) That based on a recommendation by the Local Planning Division of the Regional Planning and Development Department, an allocation of \$20,000 from the Municipal Incentive Grant M.I.G.) accounts be provided for additional grants for the physically handicapped to rehabilitate their dwelling units;
- (b) That the programme be administered by the Department of Community Development to provide the aforementioned grants to those physically handicapped who have applied for assistance under the municipal loan programmes;
- (c) That all grants be provided on an individual basis and presented to the Planning and Development Committee and City Council for approval;
- (d) That this programme for the handicapped - complementary to the existing programmes - be monitored and the results reported to the Planning and Development Committee by the Department of Community Development within six (6) months of implementation.
11. That the following close-out procedures for Federal-Provincial accounts respecting the North End, Lloyd D. Jackson Square and York Street Redevelopment areas be adopted:-

URBAN RENEWAL (1964-1968 PROGRAMME)

CLOSE-OUT PROCEDURES; FEDERAL-PROVINCIAL ACCOUNTS

A. NORTH END REDEVELOPMENT AREA

The project area is approximately two hundred and sixty (260) acres in size and is bounded, generally, on the north by Guise Street, the 'Dock Service Road', Ferguson Avenue North, north of Burlington Street East and Burlington Street East itself; on the east by Wellington Street North; on the south by the Grimsby-Oakville mainline of the Canadian National Railway; and, on the west by Hamilton Harbour.

THE RENEWAL PROJECT

The key elements of the renewal process included the following:

- (i) development of the three (3) school recreation centre/park site (approximately 13 acres);
- (ii) the acquisition of lands for the 'Perimeter Industrial Road';
- (iii) the development of neighbourhood shopping and office space;
- (iv) the development of two hundred and fiftyfour (254) units of socially-assisted housing for families and senior citizens;
- (v) two hundred and thirty (230) units of private, high-rise residential accommodation;
- (vi) the replacement of sewer and water services, and the construction of new streets, sidewalks, etc.; and
- (vii) the conservation and rehabilitation of the housing stock through the selective acquisition and clearance of substandard dwellings and conflicting uses and, latterly, the application of the Residential Rehabilitation Assistance Programme (R.R.A.P.).

FINANCIAL ASPECTS: COST

The gross cost of the scheme, as implemented with Federal-Provincial assistance, was nine million, two hundred thousand dollars (\$9,200,000); fifty percent (50%) of which cost (i.e. \$4,600,000) was financed by the Federal "partner" and twenty five percent (25%) (i.e. \$2,300,000) by The Province of Ontario: in fact, the total gross cost of the project was nine million, four hundred and seven thousand dollars (\$9,407,000); the difference (i.e. \$207,000) being non-shareable expenditures financed totally by The City.

PRESENT STATUS

With the exception of the items listed hereunder, all contemplated renewal activity has been completed:

- (i) one (1) outstanding settlement - the "tenants interest" of 'Mid Canada Supply' - has yet to be finalized;
- (ii) Disposal of some lands in respect of which the Federal-Provincial "partnership" has a financial interest; and,
- (iii) the construction of the 'Perimeter Industrial Road'.

PROPOSED ACTION

- (a) that, the City Solicitor be authorized and directed to take all steps deemed prudent to reach a final settlement in respect of the interests of 'Mid Canada Supply';

- (b) that, in respect of those residential lands held in the name of The City of Hamilton, on behalf of the 'partnership' - excluding those lands acquired for the 'Perimeter Industrial Road' - The City purchase the Federal and Provincial interests for the sum of one dollar (\$1.00) to each: these lands total one hundred and forty six thousand and twelve decimal zero four (146,012.04) square feet (3.35 acre) spread amongst thirteen (13) separate sites; and,
- (c) that, in accordance with the provisions of the agreement entered into between The City and the Federal and Provincial Governments, pursuant to which agreement The City may acquire Federal-Provincial interests, in land acquired for municipal purposes, at the rate of twenty thousand dollars (\$20,000) per acre, the City acquire the "partnership" interests in the lands designated for the 'Perimeter Industrial Road' at that rate: these lands total three hundred and twenty six thousand, eight hundred and twelve decimal nine zero (326,812.90) square feet (7.50 acres) and consequently the cost of acquisition would be one hundred and fifty thousand dollars (\$150,000). It is to be noted that, inasmuch as the 'Perimeter Industrial Road' will be a Regional facility, the City of Hamilton should be reimbursed for the aforementioned cost by The Regional Municipality of Hamilton-Wentworth.

B. LLOYD D. JACKSON SQUARE REDEVELOPMENT AREA

The project area consists of approximately forty three (43) acres of land - including streets, and portions of streets subsequently closed (i.e., Park, MacNab, Charles, Market, Market Square and York Streets) - spread amongst what were twelve (12) city blocks of varying size bounded, generally, on the north by what is now York Boulevard (formerly Merrick Street); on the east by James Street; on the south by Main Street; and, on the west by Bay Street. In the south-east quadrant the boundary is irregular inasmuch as only, approximately, sixty percent (60%) of the block bounded by King, James, Main and MacNab Streets was included in the Redevelopment Area. In the broadest sense, the Lloyd D. Jackson Square Redevelopment Area is comprised of the western portion of the City's commercial core.

THE RENEWAL PROJECT

The renewal scheme contemplated the total clearance of all but four (4) structures located within the designated Redevelopment Area; those excluded were the T. Eaton Company, the Canadian Imperial Bank Building, the Civic parking garage west of Eaton's and, Centenary United Church.

Implementation of the Redevelopment Plan, to date, has provided the following facilities:

- (i) Administrative offices of The Board of Education for The City of Hamilton;
- (ii) The Hamilton Art Gallery;

- (iii) Hamilton Place;
- (iv) Trade and Convention Centre, including a fourteen (14) storey Provincial Government office tower;
- (v) two hundred and seventy one thousand, five hundred and eighty six (271,586) square feet of retail commercial space;
- (vi) two (2) cinemas;
- (vii) two (2) privately-owned office towers;
- (viii) underground parking garages;
- (ix) Hamilton Public Library;
- (x) Farmers Market; and
- (xi) Central Utilities Plant.

With 'Phase 4' presently under construction to provide further office and retail commercial space, it remains only for the proposed hotel and arena to be constructed - and Eaton's expanded - to conclude the redevelopment as proposed.

FINANCIAL ASPECTS: COSTS

The gross cost of the scheme, as implemented with Federal-Provincial Assistance, was twenty nine million, twenty two thousand nine hundred dollars (\$29,022,900); fifty percent (50%) of which cost (i.e. \$14,511,450) was financed by the Federal "partner" and twenty five percent (25%) (i.e. \$7,255,725) by The Province of Ontario: in fact, the total gross cost of the project was thirty million, five hundred and sixteen thousand dollars (\$30,516,000); the difference (i.e. \$1,493,000) being non-shareable expenditures financed totally by the City.

PRESENT STATUS

(a) Acquisition, Clearance and Redevelopment

All lands and buildings required for the redevelopment have been acquired and cleared through negotiation and expropriation; there are, however, ten (10) property settlements yet to be finalized. With the exception of 'Phase 3' (hotel site) and 'Phase 6' (arena site), all of the private development contemplated is either completed, or underway, save for the expansion of Eaton's.

Solely in the public domain, however, there is still some road and sidewalk reconstruction to be completed pursuant to redevelopment (i.e. York Boulevard, Bay and King Streets). Further, over the period of redevelopment - as with the other Areas - the City has retained certain lands (i.e. 97,761 square feet) for road-widening

purposes (i.e., James, King, MacNab, Bay, Merrick - now York Boulevard - and Main Streets) and, in accordance with our Agreements, the "partnership" accounts must be reimbursed for these lands on the basis of one dollar (\$1.00) per square foot.

(b) Revenues: Ground Leases

In respect of the Lloyd D. Jackson Square Redevelopment Area, the Municipality has retained ownership of the entire forty three (43) acre site, save for those lands owned by The Board of education for The City of Hamilton (The 'Education Centre' and attendant parking, 100 Main Street West) and, subsequently, with the exception of those lands developed for "municipal purposes" (i.e., Hamilton Place, the Art Gallery, Library/Market, Convention Centre and, in future, the Arena), the City receives revenue, pursuant to redevelopment, from the leasing of lands, to the developer, Yale Properties Limited.

In those cases in which the lands subsequently redeveloped were owned wholly by the City prior to implementation of the assembly and clearance scheme (e.g., road allowances now closed), the City retains one hundred percent (100%) of the recovery; and, for all other lands acquired and cleared, rental revenue is shared with the "partners" on the same basis as their original contribution toward acquisition and clearance (i.e., Federal: 50%; Provincial: 25%; and, Municipal: 25%).

Consequently, in respect of the former recovery for Phases I, II and IV lands, the City receives sixty four thousand, four hundred and eight dollars, and fifty two cents (\$64,408.52) annually; and, in respect of the latter recovery where revenue is shared, the City annually receives forty one thousand four hundred and ninety three dollars, eighty eight cents (\$41,493.88) for a total, annual Municipal recovery of one hundred and five thousand, nine hundred and two dollars, forty cents (\$105,902.40).

In respect of the latter, shareable recoveries, the Government of Canada receives, annually, eighty two thousand nine hundred and eighty seven dollars, seventy six cents (\$82,987.76), and the Province of Ontario realizes an amount equal to that received by the Municipality (i.e., \$41,493.88).

Pursuant to redevelopment of Phase III (Hotel Site), additional revenues will be forthcoming to be disbursed amongst the City, and the total "partnership".

PROPOSED ACTION

- (a) That, with the submission of the final claim, the City reimburse the "partnership" in the following amounts, for the purposes indicated:
- (i) ninety seven thousand seven hundred and sixty one dollars (\$97,761.00) for 'partnership' lands retained for road widening purposes;

- (ii) fifty seven thousand nine hundred and ninety six dollars (\$57,996.00) for 'partnership' lands utilized for construction of the Art Gallery; and
- (iii) one hundred and twentysix thousand six hundred and seventyone dollars (\$126,671.00) for 'partnership' lands, in Phase VI, to be utilized for construction of the Arena/Trade Centre Complex; and
- (b) That the City Corporation continue to remit, on an annual basis, to the Government of Canada and the Treasurer of Ontario, the Federal and Provincial share, respectively, of recoveries received pursuant to the provisions of the long-term, ground leases which are in effect.

C. YORK STREET URBAN REDEVELOPMENT AREA

The Project area, as implemented with Federal-Provincial financial assistance, is approximately twenty five (25) acres in size and is bounded, generally, by Cannon Street on the north; Bay Street on the east; Napier Street on the south; and, Queen Street on the west. In addition, the Area also includes other lands comprising, generally, the south-east portion of the block bounded by Vine Street on the north; James Street on the east; the former Merrick Street - now York Boulevard - on the south; and MacNab Street on the west, as well as a portion of the former Gore Street, east from its intersection with James Street to an alleyway to the east of the former 10 Gore Street, and certain lands adjacent thereto, including the lands of the former Masonic Temple.

THE RENEWAL PROJECT

Pursuant to the acquisition and clearance of lands within the scheme Area implemented with Federal-Provincial financial assistance, the following projects were completed:

- (i) Sir John A. MacDonald Secondary School;
- (ii) Hess Street Public School;
- (iii) Adult Retraining Centre;
- (iv) Widening of York Street;
- (v) Extension of Cannon Street and re-alignment of the Merrick (York Boulevard) - Wilson intersection; and,
- (vi) Installation of Water and sewer mains, hydro and other utilities.

FINANCIAL ASPECTS: COSTS

The gross cost of the scheme, as implemented with Federal-Provincial

assistance, was seven million, one hundred and fiftysix thousand, two hundred dollars (\$7,156,200); approximately fifty percent (50%) of which cost (i.e. \$3,150,00) was financed by the Federal "partner" and twenty five percent (25%) (i.e. \$1,789,050) by The Province of Ontario: in fact, the total gross cost of the project was eight million, six hundred and forty four thousand dollars (\$8,644,000); the difference (i.e. \$1,487,800) being non-shareable expenditures financed totally by The City.

PRESENT STATUS

Save for the disposal of some lands in respect of which the Federal-Provincial "partnership" has a financial interest, all of the agreed-upon improvements within the reduced scheme Area have been completed, and it is estimated that, as at December 31, 1981 total shareable expenditures will be in the amount of six million, five hundred and twentyeight thousand, four hundred and forty seven dollars (\$6,528,447) leaving an unencumbered balance of six hundred and twenty seven thousand, five hundred and fifty three dollars (\$627,553). The City, however, has the option to carry out additional renewal activity, with the "surplus" funding, within the 'Area of Possible Future Implementation': specifically, a portion of the Central Neighbourhood Park currently under development. In addition, the City retained certain lands (i.e. 134,379 square feet) within the York Street Urban Redevelopment Area for road-widening purposes and, in accordance with our Agreements, the "partnership" accounts must be reimbursed for these lands on the basis on one dollar (\$1.00) per square foot.

PROPOSED ACTION

(a) Surplus lands

That, in respect of those lands held in the name of The City of Hamilton, on behalf of the "partnership", The City purchase the Federal and Provincial interests for the sum of one dollar (\$1.00) to each: these lands total fourteen thousand five hundred and eighty (14,580) square feet (.298) acre) spread amongst three (3) separate sites.

In respect of the lands retained by The City, for road-widening purposes, that the "partnership" be reimbursed in the amount of one hundred and thirty four thousand, three hundred and seventy nine dollars (\$134,379).

(b) 'Area of Possible Future Implementation'

That, in accordance with Clause 5, Supplementary Agreement (York Street Area), dated December 29, 1974, between Her Majesty The Queen In Right of Ontario - as represented by the then Minister of Housing - and The Corporation of The City of Hamilton, and Item 7 and the final paragraph of a letter dated May 24, 1974 from the then Central Mortgage and Housing Corporation (C.M.H.C.) the Director, Department

of Community Development, be hereby authorized to make application to The Minister of Municipal Affairs and Housing, and Canada Mortgage and Housing Corporation (C.M.H.C.) to apply the "unexpended amount" (i.e. \$625,000) toward the purchase of properties within the 'Area of Possible Future Implementation'.

12. Approval of the payment of an account in the reduced amount of \$17,614.23 submitted by Borden and Elliott for legal counsel and appraisal service rendered in connection with the expropriation of the properties at 25, 27, 29 and 35 MacNab Street South and 26 Main Street West, owned by Leo Barnett, which were acquired by the City of Hamilton for the development of the Lloyd D. Jackson Square. This account is eligible for a 75% subsidy from the senior levels of government, and is to be charged to account 0405-Y80123.
13. Approval of the payment of an account in the reduced amount of \$4,500.00 submitted by Evans, Husband, for legal services rendered in connection with the expropriation of the property at 37 King Street West owned by National System of Baking Ltd. and occupied by Hamilton National System of Baking Ltd., which was acquired by the City of Hamilton for the development of the Lloyd D. Jackson Square. This account is eligible for a 75% subsidy from the senior levels of government and is to be charged to account 0405-Y80123.
14. At its meeting held September 29, 1981 City Council, in adopting Section 19 of the Twenty-second Report of the Planning and Development Committee, authorized and directed the Director of Real Estate to negotiate the acquisition of the row housing consisting of 66, 68, 70, 72, 74 and 76 Fullerton Avenue, at the current market value, for eventual demolition. These properties are being acquired in accordance with the Gibson Redevelopment Area. In view of the fact that the Real Estate Department has been able to reach an agreement with only five of the six owners involved in this acquisition, the Planning and Development Committee recommends the following:-
 - (a) Inasmuch as the Real Estate Department has been unable to obtain a purchase agreement with the owner of 76 Fullerton Avenue (D. Smith) the City of Hamilton proceed immediately to acquire 76 Fullerton Avenue by expropriation in accordance with The Expropriation Act, for redevelopment in the Gibson Redevelopment Area, and that Civic Officials be authorized and directed to take the necessary steps to proceed with this expropriation in accordance with The Expropriation Act.
 - (b) Approval of the purchase of 66 Fullerton Avenue from Weymouth Securities Limited, Trustee, having a frontage along the easterly limits of Fullerton Avenue of 16.670 feet (more or less) by a depth of 53 feet (more or less) for the sum of \$18,000 (eighteen thousand dollars) - Option dated November 16, 1981 to be accepted on or before December 11, 1981. Cash on closing of sale, which shall be on or before February 4, 1982. Required for redevelopment in the Gibson Redevelopment Area.

- (c) Approval of the purchase of 68 Fullerton Avenue from Janine Weir, owner, having a frontage along the easterly limits of Fullerton Avenue of 16.670 feet (more or less) by a depth of 52.00 feet (more or less) for the sum of \$5,000 (five thousand dollars) - Option dated October 30, 1981 to be accepted on or before December 11, 1981. Cash on closing of sale, which shall be on or before February 4, 1982. Required for redevelopment in the Gibson Redevelopment Area.
- (d) Approval of the purchase of 70 Fullerton Avenue from Raymond Gardner and June Aileen Gardner, owners, having a frontage along the easterly limits of Fullerton Avenue of 16.670 feet (more or less) by a depth of 52.00 feet (more or less) for the sum of \$11,500 (eleven thousand five hundred dollars) - Option dated November 18, 1981 to be accepted on or before December 11, 1981. Cash on closing of sale, which shall be on or before February 4, 1982. Required for redevelopment in the Gibson Redevelopment Area.
- (e) Approval of the purchase of 72 Fullerton Avenue from Canada Mortgage and Housing Corporation, owner, having a frontage along the easterly limits of Fullerton Avenue of 15.83 feet (more or less) by a depth of 52.50 feet (more or less) for the sum of \$12,500 (twelve thousand five hundred dollars) - Option dated October 29, 1981 to be accepted on or before December 11, 1981. Cash on closing of sale, which shall be on or before February 4, 1982. Required for redevelopment in the Gibson Redevelopment Area.
- (f) Approval of the purchase of 74 Fullerton Avenue from Mark William D'Cruze, owner, having a frontage along the easterly limits of Fullerton Avenue of 15.75 feet (more or less) by a depth of 52.00 feet (more or less) for the sum of \$18,500 (eighteen thousand five hundred dollars) - Option dated November 15, 1981 to be accepted on or before December 11, 1981. Cash on closing of sale, which shall be on or before February 4, 1982. Required for redevelopment in the Gibson Redevelopment Area.

15. That leave be granted to introduce the following Bills:-

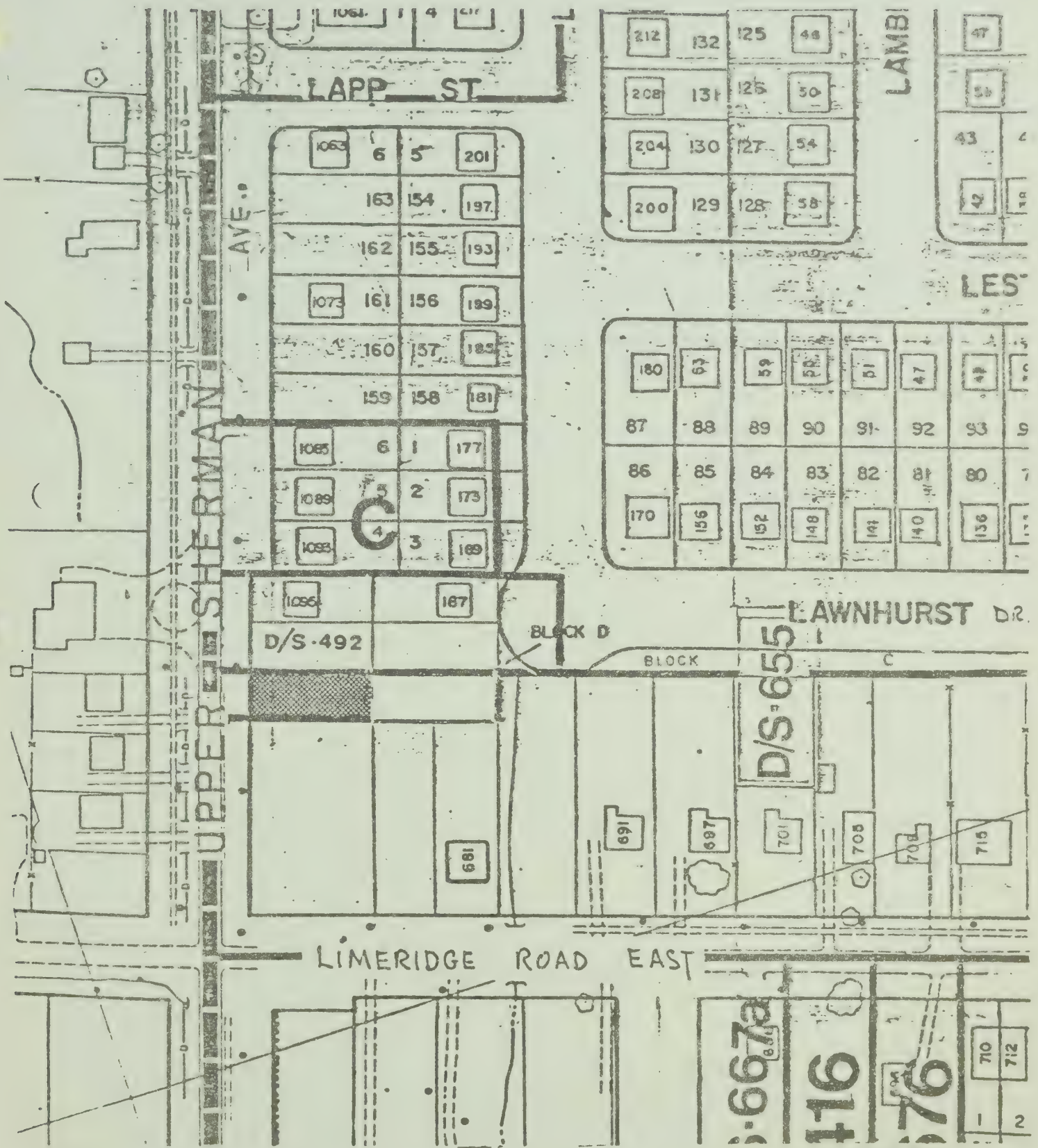
- (a) Bill D-163 - By-law to Authorize Demolition and Clearing of Buildings, Structures, Debris or Refuse at Municipal No. 86 Ray Street North
- (b) Bill D-165 - By-law to Amend Zoning By-law No. 6593 respecting land located at Municipal Nos. 44 and 52 Elgin Street
- (c) Bill D-166 - By-law to Amend Zoning By-law No. 6593 respecting land located on the north-east corner of Limeridge Road East and Upper Wentworth Street
- (d) Bill D-167 - By-law to Amend Zoning By-law No. 6593 respecting lands located to the south-west of Rymal Road East and the future Extension of Upper Gage Avenue

- (e) Bill D-168 - By-law to Amend Zoning By-law No. 6593 respecting land located at Municipal Nos. 395 and 397 Centennial Parkway North
- (f) Bill D-169 - By-law to Repeal By-law No. 81-197 respecting land located at Municipal Nos. 102 Park Street North and 60 Vine Street.
- (g) Bill D-170 - By-law to Amend Zoning By-law No. 6593 respecting land located at the south-east corner of Robinson and Park Streets.

Respectfully submitted

November 25, 1981
JDT:bg

Alderman W. M. McCulloch
Chairman



LEGEND.



SITE OF THE APPLICATION

E-364

24.8-32

E

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its TWENTY-SECOND Report for 1981 and respectfully recommends:

CONSERVATION OF ENERGY

1. That the City of Hamilton host the Third Annual Cities Energy Conference scheduled for April of 1982 and that a firm experienced in organizing conferences of this nature be engaged to prepare brochures and advertising materials at a cost not to exceed \$5,000.00.

NOTE: The Conservation of Energy Sub-Committee has calculated a preliminary budget for this Conference which totals \$33,000.00. These funds have been included in the 1982 current budget estimates of the Transport and Environment Committee. Preliminary investigations indicate that the Province of Ontario would agree to make a grant in the amount of \$5,000.00 which would bring the total revenue of the Conference to approximately \$10,000.00. This would reduce the City's obligation to approximately \$23,000.00.

The cost suggested for preparing brochures and advertising materials related to this Conference is \$5,000.00 and sufficient funds are available in the 1981 current budget for this purpose.

REAL ESTATE

2. That the sale of surplus City lands having a frontage on the southerly limits of York Street and extending easterly from Strathcona and containing approximately 2,129 sq.ft. of surplus City lands from the York Street Widening Project, to Carlo and Rita Mandarino for the sum of \$2,129.00 be completed.

NOTE: A deposit cheque in the amount of \$212.00 is on deposit with the Treasury Department and the total amount of \$2,129.00 should be credited to account number 0411-611506.

3. That the sale of City surplus land adjacent to 407 Parkdale Avenue South to Angel and Leslie Jelcic for the sum of \$1,500.00 be completed.

NOTE: A certified cheque in the amount of \$150.00 is on deposit with the Treasury Department. This property was originally purchased on the 1960 Tax Sale and was approved for sale as surplus by the Administration Committee on May 26, 1981.

4. (a) That the City sell the closed road allowance of Bromley Road (formerly Delevan Court) to the abutting property owners as follows for \$1.00 as it is surplus to municipal requirements.

1. Part 1 - Plan 62R-6025 to William and Nancy Hurren,
9 Bromley Road
2. Part 2 - Plan 62R-6025 to Gilbert and Helen Pritchard,
13 Bromley Road
3. Part 3 - Plan 62R-6025 to Jack and Catherine Phillips,
17 Bromley Road
4. Part 4 - Plan 62R-6025 to Garfield and Norma Willard,
8 Bromley Road
5. Part 5 - Plan 62R-6025 to Karl and Mathilde Habl,
12 Bromley Road
6. Part 6 - Plan 62R-6025 to Messrs. Harry Ward, Wayne Fair
and William McCarley, Trustees,
16 Bromley Road

(b) On May 10, 1955, City Council authorized the passing of a By-law to close this portion of Bromley Road (formerly Delevan Court) by approving Item 5 of the 6th Report of the Planning Board. We therefore recommend that Item 16, Sub-section 1 of the 10th Report of the Transport and Environment Committee approved by City Council on May 12, 1981, be deleted and replaced by:

1. that the City Solicitor be directed to prepare a proposed by-law to advertise and sell the closed portion of Bromley Road (formerly Delevan Court) for \$1.00 with the closing of this transaction being 60 days after the passing of the By-law to advertise and sell the sale of this closed road allowance but no later than June 28, 1982.

5. That Item #25, subsection (iii) of the 16th Report of the Transport and Environment Committee adopted by Council on September 8, 1981, be deleted in its entirety and replaced by the following amendment.

"That the abutting owner on the south, One Hundred Market Limited, may purchase the freehold of the stopped-up highway at the price of \$121,213.50 on or before June 23, 1982 all in accordance with and subject to the terms and conditions for an Offer to Purchase dated November 4, 1981, between the Corporation of the City of Hamilton and One Hundred Market Limited."

NOTE: The said September 8, 1981 resolution was addressed to a transaction of purchase and sale of Block 101 between the City and One Hundred Market Limited, which was terminated on September 26, pursuant to a condition therein.

The proposed amendment is addressed to a new agreement of purchase and sale of the same property by the said parties which was approved by Council on November 10, 1981.

The amendment is required in acknowledgement of the new date upon which the offer was made, a new closing date for the transaction, and the inclusion of the price to be received by the City for the stopped-up road allowance.

REGIONAL ENGINEERING

6. Whereas authorization was granted by City Council to Mr. P. Poulos, owner of 220 Wellington Street North to retain:

- (i) An inadvertent building encroachment onto the road allowance of Robert Street by a maximum of 0.06 metres (0.2 feet) for an approximate distance of 11.3 metres (37.0 feet);
- (ii) An inadvertent step encroachment onto the road allowance of Robert Street by a maximum of 0.15 metres (0.5 feet) for an approximate distance of 0.8 metres (2.5 feet);
- (iii) An inadvertent garage encroachment onto the road allowance of Robert Street by a maximum of 0.02 metres (0.1 feet) for an approximate distance of 3.7 metres (12.0 feet);

And whereas payment of the annual encroachment fee of \$30 has been refused by the owner, it is therefore recommended:

- (a) That the authorization granted by City Council on 80 12 09 in adopting Item 8 of the 1st Report of the Transport and Environment Committee and amended by Item 30 of the 2nd Report of the Transport and Environment Committee on 81 01 13 be rescinded;
 - (b) That authorization be granted to the City Solicitor's Department to initiate such legal action as may be necessary to protect the City's interest.
7. (a) That the application of Sunshine Homes Ltd., 28 Duke Street, to enter into an encroachment agreement with the City for landscaping purposes on the north side of Duke Street by 4.3 m (14.10 ft.), from back of walk to property line, for approximately 6.0 m (19.68 ft.), and on the east side of MacNab Street by 4.2 m (13.77 ft.) from back of walk to property line, for approximately 6.0 (19.68 ft.), be approved.
- (b) That the owner enter into an agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
 - (c) That an annual fee of \$10 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution, in addition to the \$25 annual fee plus applicable realty taxes, to be charged to the owner for encroachment insurance.
8. Whereas on 79 11 13 City Council approved the recommendation of the Traffic and Engineering Committee respecting the installation of automatic protection by C.N. Rail at the Limeridge Road crossing at an estimated cost to the City of 7½% of the total estimated cost of \$3,210.00; and,

Whereas it was also recommended that the City accept 50% of the annual cost of operation and maintenance of the crossing protection; and,
Whereas the automatic protection installation was completed in March 1981 under Board Order No. R30670 and the Board has advised that the City's share should have been reported as 12½% and not 7½% of the total cost of \$41,651.02, it is therefore recommended:

- (i) That C.N. Rail invoice number 407518 in the amount of \$5,206.37 be approved for payment;
- (ii) That this amount be charged to account number 0352-0362 (Railway Crossings - Maintenance).

TRAFFIC

- 9. That Schedule 10 (Stops at Intersections) of By-law No. 66-100 To Regulate Traffic be further amended by adding thereto the following item, namely:-

"High Northbound and Southbound Brucedale".

- 10. That Schedule 24 (Parking Meter Locations) be amended by adding to Section 2 (Two Hour Limit) the following item, namely:-

"Hunter North Bay to Caroline".

- 11. That Schedule 25 (Parking Time Limits) be amended by adding to Section 5 (One Hour Limit) the following item, namely:-

"Frid East 60 feet north of the easterly leg of Frid to the northerly end of the street:.

- 12. That Schedule 26 (No Parking Areas) be amended:-

- (a) by deleting from Section A (No Parking Anytime) the following items, namely:-

"Oak	East	Barton to 185 feet south
Oak	West	85 feet south of Barton to 100 feet southerly
Tecumseh	South	Westerly end to 31 feet easterly
Columbia	East	Northerly end to 54 feet south".

and by adding thereto the following items, namely:-

"Oak	East	Barton to a point 161 feet southerly therefrom
Columbia	East	Laurier to northerly end
Rennie	South	494 feet east of Parkdale to a point 320 feet easterly therefrom".

- (b) by deleting from Section B (Loading Zones) the following item, namely:-

"Mulberry South 38 feet 25 feet east of MacNab 7:00 A.M. - 6:00 P.M.".

13. That Schedule 27 (Alternate Side Parking) be amended by adding there- to the following item, namely:-

"East 14th East West".
Brucedale to Queensdale

14. That Schedule 30 (Commercial Loading Zones) be amended by adding there- to the following item, namely:-

"Mulberry South 34 feet 30 feet east of MacNab 7:00 A.M. - 6:00 P.M.".

15. That Schedule 37 (Snow Routes) be amended by deleting therefrom the following items; namely:-

"Wallace	McAnulty	Beach
McAnulty	Ottawa	Wallace
Longwood	King	Northerly end
Queen	Barton	Stewart
Delawana	Lake	Riverdale
Riverdale	Delawana	North City Limits
Osborne	End	End
Talbot	End	End
Cranbrook	End	End
Glenvale	Garth	Stone Church
Garth	Stone Church	Claudette
Bold	Duke	James
Murray	Bay	John".

and by adding thereto the following items, namely:-

"Longwood	Main	Franklin
Queen	Barton	Stuart
Osborne	Melvin	Barton
Talbot	Melvin	Barton
Cranbrook	Glenvale	Courtland
Courtland	Cranbrook	Stone Church
Glenvale	Garth	Cranbrook
Garth	Stone Church	Rymal
Bold	MacNab	James
Murray	Bay	James".

16. That the application of John Edward Baranyi to lease a portion of the boulevard of Adair Avenue North, adjacent to No. 1852 Main Street East, for parking purposes be approved during the pleasure of City Council provided:-

- (i) That the owner complies with the requirements as set out in

the policy respecting using a portion of the road allowance for parking purposes.

- (ii) That the approach and parking area be constructed in accordance with the submitted plan at the owner's expense.
- (iii) That the owner prepares and executes an agreement, satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
- (iv) That the applicant pay the annual fee as established by City Council plus taxes, in addition to the \$25.00 annual fee to be charged to the applicant for encroachment insurance.

17. That the application of Stelco Incorporated to lease a portion of the boulevard of Birge Street, adjacent to No. 334 Wellington Street North, for parking purposes be approved during the pleasure of City Council provided:-

- (i) That the owner complies with the requirements as set out in the policy respecting using a portion of the road allowance for parking purposes.
- (ii) That the approach and parking area be constructed in accordance with the submitted plan at the owner's expense.
- (iii) That the owner prepares and executes an agreement, satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
- (iv) That the applicant pay the annual fee as established by City Council plus taxes, in addition to the \$25.00 annual fee to be charged to the applicant for encroachment insurance.

18. (a) That the personnel named below be deleted from the list of By-law Enforcement Officers for the City of Hamilton:-

"Mr. Sylvester Panagapko	Mr. Edward DeBeer
Mr. Alexander Naykalyk	Mr. Gerald Vertilieb".

(b) That the personnel named below be added to the list of By-law Enforcement Officers for the City of Hamilton:-

"Mr. Hugh L. Phillips	Mr. Hugh K. Hamilton
Mr. Adam H. Malley	Mr. Richard D. Kennedy".

19. That City Council authorize the Traffic Department to poll the residents of Mary Street between Barton Street and Robert Street, to determine whether or not they wish to have time limit parking on their street.

20. That approval in principle be given to raising the fine for parking meter and time limit parking violations to \$5.00, when new parking tags are ordered in mid 1982.
21. That in accordance with the report of the Hamilton-Wentworth Regional Police Department dated November 12, 1981, the present school traffic officer be removed from the intersection of Fennell Avenue and West 2nd Street.

PURCHASING

22. That the report of the Director of Purchases respecting the following be approved:

(i) TCG MATERIALS LTD., Brantford, Ontario

For the supply of Treated Sand for the 1981/1982 Season, in accordance with specifications issued by the Co-ordinator of Regional Purchases, and Vendor's Tender as follows:

Delivered to Yards - \$10.71 Per Tonne
Pick-up - \$ 7.80 Per Tonne

NOTE: Lowest of 4 acceptable tenders.

(ii) LAKEVIEW SAND & GRAVEL LTD., R.R. #4, Cambridge, Ontario

For the supply of Untreated Sand for the 1981/1982 Season, in accordance with specifications issued by the Co-ordinator of Regional Purchases, and Vendor's Tender as follows:

Delivered to Yards - \$ 5.09 Per Tonne
Pick-up - \$ 2.20 Per Tonne

NOTE: Lowest of 6 tenders.

(iii) CANADA CRUSHED STONE, Hamilton, Ontario

Supply of Commercial Sand for 1981/1982 Season, in accordance with specifications issued by the Co-ordinator of Regional Purchases and Vendor's Tender as follows:

Treated Sand	- Delivered to Yards -	\$10.69 Per Tonne
	- Pick-up	- \$ 8.87 Per Tonne
Untreated Sand	- Delivered to Yards -	\$ 5.32 Per Tonne
	- Pick-up	- \$ 3.50 Per Tonne

NOTE: Lowest of 4 tenders.

(iv) INTERNATIONAL HARVESTER LTD., Hamilton, Ontario

For the supply and delivery of One (1) 35,000 lbs. G.V.W. Truck Chassis, International S1954, in

accordance with specifications issued by the Director
of Purchases and Vendor's Tender for the total sum,
of \$37,917.21

NOTE: Lowest of 2 tenders.

(v) INTERNATIONAL HARVESTER LTD., Hamilton, Ontario

For the Supply & Delivery of One (1) International
S1954 Chassis Complete with Snow Plow & Sanding
Body, in accordance with specifications issued by
the Director of Purchases and Vendor's Tender for
the total sum of \$64,024.14

NOTE: Lowest of 2 tenders.

(vi) SUPERIOR PROPANE LTD., Smithville, Ontario

For the supply and delivery of Propane Gas for
1982, in accordance with specifications issued by
the Director of Purchases and Vendor's Tender
as follows:

Firm Total Price per Gallon - \$0.997

NOTE: Only tender received.

(vii) Equipment Rental as required for 1982, in accord-
ance with terms and conditions set forth by the
Director of Purchases and Vendor's Tender as
follows:

G.F. MASON EXCAVATING LTD., Fruitland, Ontario

<u>Bulldozers</u>	- Caterpillar D-6 with Ripper	- \$44.00 Per Hour
	Caterpillar D-7	- \$48.00 Per Hour
	John Deere #450	- \$29.75 Per Hour

<u>Loaders</u>	- Caterpillar 977	- \$45.00 Per Hour
	Caterpillar 944 (Rubber Tired)	- \$35.00 Per Hour
	John Deere 450 Crawler	- \$29.75 Per Hour

<u>Trucks</u>	- 16 Cu. Yd. Dump Truck	- \$26.00 Per Hour
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<u>Graders</u>	- Caterpillar Model 14	- \$35.00 Per Hour
	Caterpillar 14 with Rear Ripper	- \$37.00 Per Hour

<u>Backhoe</u>	- MF50 or JD310 Backhoe	- \$29.75 Per Hour
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DANBILL EQUIPMENT RENTAL, Hamilton, Ontario

<u>Trucks</u>	- 8 Cu. Yd. Dump	- \$20.00 Per Hour
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<u>Scrapers</u>	- Euclid S-18	- \$55.00 Per Hour
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QUIGLEY CONTRACTING, Hannon, Ontario

<u>Scrapers</u>	- Euclid TS-14	- \$72.00 Per Hour
	Euclid TS-24	- \$90.00 Per Hour

J.R. JENSEN CUSTOM GRADING, Hamilton, Ontario

<u>Grader</u>	- Huber	- \$26.00 Per Hour
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NOTE: Above are the lowest of 6 tenders.

(viii) FRINK CANADA, Cambridge, Ontario

Supply & Delivery of One (1) Eeger Beaver Log Chipper, in accordance with specifications issued by the Director of Purchases and Vendor's Tender for the total sum of \$21,480.25

NOTE: Lowest of 3 tenders.

(ix) RONDAR SERVICES LTD., Hamilton, Ontario

Inspection and repair to the snow melting heating cables imbedded in ramps and roadways at Summers Lane, MacNab Street Ramp and King Street Ramp Exit at \$70.00 per Hour. Total not to exceed \$20,000.00.

NOTE: Only supplier.

BY-LAWS

23. That leave be granted to introduce the following Bills:

- (i) Bill No. E102 - By-law to widen and extend Skylark Drive by incorporating 0.5 metre reserve, Block 19, Plan M-305.
- (ii) Bill No. E103 - By-law to widen and extend Napoli Drive by incorporating 1 ft. reserve, Block "AX", Plan M-236.
- (iii) Bill No. E104 - By-law to establish Kingfisher Drive from Limeridge Road to Upper Wentworth Street.
- (iv) Bill No. E105 - By-law to amend By-law No. 66-100 to Regulate Traffic.
- (v) Bill No. E106 - By-law to amend By-law No. 66-100 to Regulate Traffic.

Respectfully submitted

ALDERMAN F.A. LOMBARDO

R.C. Prowse, Secretary

November 30, 1981.

REPORT OF THE PERSONNEL COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Personnel Committee presents its FIFTEENTH Report for 1981 and respectfully recommends:

1. The adoption of the following recommendations by the Chief Administrative Officer with respect to the Administrative Re-organization Program:
 - a) That a position within the City Architects Department be deleted to create a new position of Director, City Property.
 - b) That City Property Functions namely; Engineering, Architects, Real Estate, Building and Community Development be re-organized under a Director, City Property.
 - c) In accordance with subsection (b), the job description of City Engineer and Coordinator Lloyd D. Jackson Square be amended by deleting the responsibilities of the City Engineer. The salary for this position to remain at the current rate.
2. That the Commissioner of Finance produce the actuarial costing for Optional Retirement under the Type 3, O.M.E.R.S. Pension Plan for employees in the following categories:
 - a) Department Heads and Deputies
 - b) Non-Union Supervisory and Professional Personnel.

RESPECTFULLY SUBMITTED,

ALDERMAN P. DRAGE,
CHAIRMAN
PERSONNEL COMMITTEE

G. W. McMillan,
Secretary
October 30, 1981

- * NOTE: For the information of the Members of Council, this report was referred back by Council at its meeting held November 10, 1981 and is now being re-introduced for consideration.

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